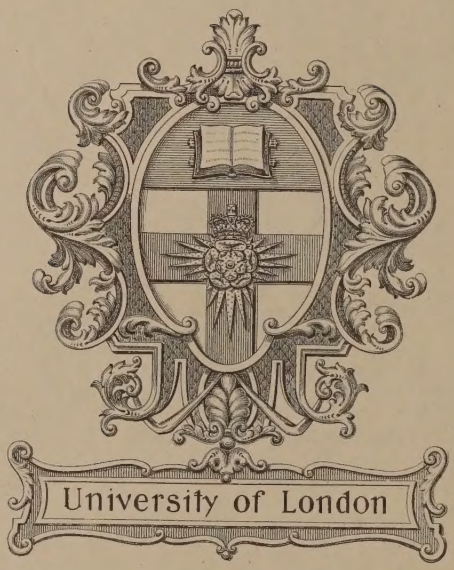
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REPORTS

FROM

COMMITTEES:

ELEVEN VOLUMES.

— *(6.)* —

ELECTIONS—*continued.*

LANCASTER BOROUGH TO YARMOUTH, GREAT;

CONTAGIOUS DISEASES; CORK AND YOUGHAL RAILWAY;
EXPIRING LAWS;
KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS);
PRIVATE BILLS; RAILWAY AND CANAL BILLS;
RAILWAYS (GUARDS' AND PASSENGERS' COMMUNICATION);
SHANNON RIVER; TRAMWAYS (IRELAND) BILL.

Session
1 *February*—— 10 *August* 1866.

VOL. XI.

1866.

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1866.

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MINUTES OF EVIDENCE,

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

LANCASTER BOROUGH ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
25 *April* 1866.

Wednesday, 18*th April* 1866.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Lancaster.

William Graham, Esq.	Dudley Coutts Marjoribanks, Esq.
Samuel Trehawke Kekewich, Esq.	Sir Graham Montgomery.

EDWARD HOWES, Esq., Chairman.

Thursday, 19*th April* 1866.

Ordered, THAT the Petition relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Eleven of the clock.

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REPORT.

LANCASTER BOROUGH ELECTION COMMITTEE.

Monday, 23d April 1866.

THE HOUSE informed, that the Committee had determined,—

That Edward Matthew Fenwick, Esq., was not duly elected a Burgess to serve in this present Parliament for the Borough of Lancaster.

That Henry William Schneider, Esq., was not duly elected a Burgess to serve in this present Parliament for the Borough of Lancaster.

That the last Election for the said Borough is a void Election.

The House further informed, that the Committee had agreed to the following Resolutions:—

1. That Edward Matthew Fenwick, Esq., and Henry William Schneider, Esq., were, by their Agents, guilty of bribery at the last Election for the said Borough:

2. That it was proved to the Committee that Thomas Baxter was bribed with the payment of 15 *l.*; William Armistead of 10 *l.*; John Western of 10 *l.*; Richard Armistead of 10 *l.*; Thomas Edmondson of 10 *l.*; Henry Casson of 12 *l.*; Daniel Edmondson (the son of Jonas) of 10 *l.* or 12 *l.*; John Edmondson of 15 *l.*; Thomas Bennison of 10 *l.*; and William Sharples of 10 *l.*:

3. That there was no evidence to show that the said acts of bribery were committed with the knowledge or consent of the said Edward Matthew Fenwick, Esq., and Henry William Schneider, Esq.:

4. That the Committee have reason to believe that corrupt practices extensively prevailed at the last Election.

PROCEEDINGS OF THE COMMITTEE.

Friday, 20*th April* 1866.

NAMES of the Members called over;—all present.

Room cleared, and the Committee agreed to the following Preliminary Resolutions:—

1. That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. That if costs be demanded by either party under the 11th and 12th Vict. c. 98, the question must be raised immediately after the decision on that particular case.

3. That the Committee expect that with respect to cases of bribery, or offers or promises of money, or other valuable consideration which it is intended to bring home to the Sitting Member or his agents, the Counsel for the Petitioners will now state the names of the Electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered to do so.

4. The Committee, however, reserve to themselves a power upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been reasonably cognisant.

5. That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. That no person shall be examined as a witness who shall have been in the room during any of the proceedings (with the exception of the agents, whose names shall be handed in), without the special leave of the Committee.

9. That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. That if any point of law shall arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. That the Committee will follow the practice of the courts of law with regard to speeches, as laid down in section 18 of the Common Law Procedure Act, 1864.

12. That if the leading Counsel are not prepared to sum up the case on either side when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent.

Parties called in, and informed of the above Resolutions.

Petition of *H. Wilson* and *George Barker*, against Sitting Member, read.

Counsel for Petitioners:—Mr. *Karslake*, Mr. *W. Cooke*, and Mr. *O'Hara*,

Agents:—Messrs. *Baxter, Rose, & Norton*, Mr. *Clark*, and Mr. *Hull*.

Counsel for Sitting Member:—Mr. Serjeant *Ballantine*, Mr. *Hardinge Giffard*, and Mr. *Henry James*.

Agents:—Mr. *Travers Smith*, and Mr. *Maxsted*.

Mr. *Karslake* was heard to open the case of the Petitioners.

The Short-hand writer was sworn by the Chairman.

Mr. *J. R. Naylor*, sworn; and produced writ and return, and handed in five poll books relating to the return at the last Election for the Borough of Lancaster.

Thomas Swainson, John Pearce Chamberlayne Starkie, Thomas Baxter, Joseph Hadfield, William Armisted, John Western, Richard Armisted, Thomas Edmondson, Dr. *Carruthers, Henry Casson, Daniel Edmondson, William Woodhouse, John Edmondson*, and *Simeon Hardy Swaine*, were severally sworn, and examined.

[Adjourned till To-morrow, at Eleven o'clock.

Saturday, 21*st April* 1866.

NAMES of Members called over;—all present.

Joseph Sly and Dr. *Joseph Carruthers*, sworn, and examined.

Mr. *Ballantine* was heard to object to the right of going into general charges of bribery not included in the lists handed in to the Committee.

Mr. *Karslake* was heard in support of his right to go into the whole matter whereon it is alleged that bribery has been committed.

Mr. Serjeant *Ballantine* was heard in reply.

Room cleared. The Committee deliberated, and decided that they would receive evidence on the whole matter whereon it is alleged that bribery has been committed.

Parties called in, and informed of the decision of the Committee.

Thomas Bennison, *William Sharples*, *John Masheter*, and *Thomas Masheter*, were severally sworn, and examined.

On Question being put, "Did he show you anything?" Mr. *Giffard* objected to the Question, on the ground that the name of the witness was not included in the list delivered in to the Committee.

Mr. *Karslake* was heard in answer, and contended that evidence of bribes being offered to other persons than those named in the lists ought to be admitted for the purpose of establishing that allegation of the Petition, even though such offers were not accepted.

Mr. *Giffard* was heard in reply.

The Committee decided that the examination could not be continued.

Mary Whormby, *Betsey Jackson*, *Annie Lee*, *John Giffard*, *Jane Stirzaker*, *Thomas H. Stirzaker*, and *John Stirzaker*, were severally sworn, and examined.

[Adjourned till Monday next, at Eleven o'clock.

Monday, 23*d April* 1866.

NAMES of Members called over;—all present.

John Gifford, sworn; and examined.

Mr. *Karslake* was heard to sum up the evidence on behalf of the Petitioners.

Mr. *Giffard* addressed the Committee on behalf of the sitting Members.

Room cleared. Committee deliberated.

Resolved,—

1. "That Edward Matthew Fenwick, Esquire, was by his agents guilty of bribery at the last election for the Borough of Lancaster.

2. "That Henry William Schneider, Esquire, was by his agents guilty of bribery at the last election for the Borough of Lancaster.

3. "That Edward Matthew Fenwick, Esquire, was not duly elected a burgess to serve in this present Parliament for the borough of Lancaster.

4. "That Henry William Schneider, Esquire, was not duly elected a burgess, to serve in this present Parliament for the borough of Lancaster.

5. "That the last election for the said Borough is a void election.

6. "That it was proved to the Committee that Thomas Baxter was bribed with the payment of 15 *l.*; William Armistead of 10 *l.*; John Western of 10 *l.*; Richard Armistead of 10 *l.*; Thomas Edmondson of 10 *l.*; Henry Casson of 12 *l.*; Daniel Edmondson (son of Jonas) of 10 *l.* or 12 *l.*; John Edmondson of 15 *l.*; Thomas Bennison of 10 *l.*, and William Sharples of 10 *l.*

7. "That there was no evidence to show that the said acts of bribery were committed with the knowledge or consent of the said Edward Matthew Fenwick, Esquire, and Henry William Schneider, Esquire.

8. "That the Committee have reason to believe that corrupt practices extensively prevailed at the said election."

Parties called in, and informed of the above Resolutions.

Ordered, To report the said Resolutions to the House.

LIST OF WITNESSES.

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MINUTES OF EVIDENCE.

Friday, 20th April 1866.

MEMBERS OF THE COMMITTEE:

Wm. Graham, Esq.
Samuel Frebanke Kekewich, Esq.
Dudley Coutts Marjoribanks, Esq.
Sir Graham Montgomery.

EDWARD HOWES, Esq., Chairman.

Mr. James Richard Naylor, sworn; Examined by Mr. *O'Hara.*

Mr. *J. R. Naylor.*

20 April 1866.

1. I believe you are Deputy Clerk of the Crown?—Chief clerk in the Crown office.

2. Do you produce the poll-book, writ, and return for the last election for the borough of Lancaster?—I produce five poll-books and the writ and return (*producing same*).

[The Witness withdrew.

Mr. Thomas Swainson, sworn; Examined by Mr. *O'Hara.*

Mr. *T. Swainson.*

3. I believe you are town clerk of the borough of Lancaster?—Yes.

4. And you filled that office at the last general election?—Yes.

5. Do you produce the original appointment of Mr. Tilley as agent of election expenses for Fenwick and Schneider?—I do (*producing same*).

6. Do you produce the bills and vouchers delivered by the agents of the sitting Members, and the accounts of the election expenses sent in to you by Mr. Tilley, the agent, whose appointment you have just handed in?—I do (*producing same*).

[The Witness withdrew.

John Pearce Chamberlain Starkie, Esq., sworn; Examined by Mr. *O'Hara.*

J. P. C. Starkie, Esq.

7. I believe you live at Ashton Hall, near Lancaster?—Yes.

8. You are a magistrate for the county of Lancashire?—Yes.

9. Are you acquainted with Mr. Schneider?—Yes.

10. Did you meet him at any time previous to the last election?—Yes; I met him on the nomination day; I saw him at the hustings.

11. Did you have any conversation with him on that occasion?—Yes; I had a few words as we were leaving the hustings.

12. What did he say to you?—He said to me, after I had asked him a question or spoken to him, he said that the election should cost the opposition candidate 10,000 *l.*

Cross-examined by Mr. Serjeant *Ballantine.*

13. That was not quite what he said, was it; he did not say "the opposition candidate"?—No; because I was obliged to lead to that, to make it intelligible.

14. Will you be kind enough to tell us what he said?—The exact words he said? He said "It shall cost him 10,000 *l.*;" those were his words.

15. What did you say?—I said "We shall win."

16. By that you meant the Conservatives?—Just so. I had better say the Conservatives.

17. "We shall win"?—"We shall win."

18. And then he said, "it shall cost you 10,000 *l.*"?—Yes.

19. Really you do not mean to treat that as a serious conversation, do you?—No, I do not.

20. Why did you say "We shall win;" had you a notion what you were going to do?—No; we only thought we should.

21. You thought there was a mode—something in your knowledge—likely to affect the election?—No, there was no mode.

22. You do not repeat this as a serious conversation, do you?—No; not the slightest. I merely repeat it as it came out.

23. He knew you were a staunch Conservative?—He supposed so.

24. He was not going to confide his secrets to you. Do you think he would?—No; it was no secret. I just treated it as it happened.

25. As a great many other things happen which you do not believe and are inclined to laugh at?—Yes.

Re-examined by Mr. *Cooke.*

26. You were at the nomination?—Yes.

27. Do

J. P. C. Starkie.

20 April 1866.

27. Do you know if Mr. Bolden nominated Mr. Schneider?—He did.

Mr. Serjeant *Ballantine.*] How does this arise out of my cross-examination?

28. Mr. *Cooke.*] I forgot to ask him this. You have been asked whether you believed it; did you believe what Mr. Schneider said?—That it would cost 10,000*l.*?

29. That it should cost that if necessary?—I had no idea.

30. What did you treat it as?—It is a very difficult question to answer.

31. You see you repeated it after?—I repeated it.

32. Why did you repeat it if you did not consider it a serious conversation?—I should like to know what you actually mean by "serious?"

33. That is what I want to know?—Whether I believed it would cost that?

34. No. Serjeant Ballantine asked you whether you treated it as a serious conversation. I understood you to say "No." I want to know what you mean by saying you did not treat it as a serious conversation?—Whether I believed it was going to cost 10,000*l.*?

35. No; I thought you told us that he said it should cost that?—Yes; he said it will cost the opposition candidate 10,000*l.* It was one of those casual conversations which happen, and I repeated it after I left the hustings; that is all I can possibly say. I know nothing about it, more or less.

[The Witness withdrew.

THOMAS BAXTER, sworn; Examined by Mr. *Cooke.*

T. Baxter.

36. Is your name Thomas Baxter?—Yes.

37. And do you keep the "Prince Albert" Vaults in Liverpool?—Yes.

38. Are you a freeman of the borough of Lancaster?—Yes.

39. At the election last year, were you one of the registered voters for the borough?—Yes.

40. Were you at that time farm bailiff to Mr. Bolden, of Bolton, near that borough?—Yes.

41. Is he the gentleman who nominated Mr. Schneider at the election; proposed him, as they call it?—I believe he is.

42. A few days before the election, did Mr. Bolden speak to you about your vote?—Yes.

43. What did he say?—He did not wish me to go against him.

Mr. Serjeant *Ballantine.*] We cannot have a conversation with Mr. Bolden.

44. Mr. *Cooke.*] He canvassed you for your vote, did he?—Mr. Bolden?

45. Yes?—No.

46. Did he ask you anything about your vote?—He wished me not to go against him.

47. Against whom?—He wished me not to go against his side.

48. What side?—Mr. Fenwick and Mr. Schneider.

49. Did you go up to Lancaster on the day of the election?—Yes.

50. Did you place yourself, and were you near the Queen's Hotel, at any time in the day when you met Robert Stackhouse?—Yes.

51. What time of the day?—I do not know, I am sure, what time.

52. Well, I am sure, I do not; what shall we say, morning or middle of the day?—Betwixt 11 and 12, perhaps.

53. Did Stackhouse write you to go anywhere, or did you invite him?—He invited me to go into the Queen's Hotel.

54. Did you accompany him?—Yes.

55. I believe you had a glass together?—Yes.

56. Was anything said by either of you about your voting?—Yes.

57. If you will kindly tell us what it was you will save me and yourself a great deal of trouble. Which spoke; did he speak to you about it?—Yes.

58. Tell us what he said?—He wished me to vote for Mr. Fenwick and Mr. Schneider.

59. Well?—And he asked me to go up.

60. What did you say to that; what did you say when he asked you to vote?—I said I did not think I was going to vote at all.

61. You say he asked you to go up somewhere?—Yes.

62. Where did he ask you to go to?—Into a little room at the back of the Queen's Hotel.

63. Did he say anything about a little room?—He said, "Come along with me."

64. Did you accompany him?—Yes.

65. Where did he take you to?—He took me into a small back room.

66. On the ground floor or upstairs?—Upstairs.

67. How many pairs of stairs; first floor or second floor?—I do not know, I am sure, how many stairs.

68. I do not mean how many steps; but was it the first floor?—No; it was very near the top of the building.

69. When you got to that room did you find anybody there?—Yes.

70. Who did you find there?—I think they call him Welsh; but I do not know for truth.

71. Did you hear Stackhouse speak to him?—Yes.

72. Did you hear him mention any name when he took you in?—Yes.

73. Did he call the person by any name?—Yes; I think he called him Welsh.

74. You say the man is called Welsh; where is it you have heard him called Welsh besides by Stackhouse; anywhere?—No.

75. What happened when you got into this room with the man called Welsh?—He said, "Well, what is it?"

76. Who said that?—Welsh.

77. Well, did Stackhouse make answer, or did you?—Stackhouse said, "He wants 15*l.*"

78. What did Welsh say or do?—He gave it into Stackhouse's hands.

79. Did he say anything?—No, he did not say anything; he got it out of a bag and gave Stackhouse it.

80. Got what out of a bag?—Money.

81. What was it, paper or gold?—Gold.

82. Fifteen sovereigns?—Yes.

83. Out of a bag; did he count it down?—Yes.

84. And gave it to Stackhouse?—Yes.

85. Did he say anything about your voting? Yes; he said vote for Fenwick and Schneider, and here is 15 sovereigns for you.

86. That

86. That is what Welsh said?—Yes.

87. You say that Stackhouse said, "He is asking 15 *l.*;" had you asked 15 *l.* of Stackhouse for your vote?—No; I never asked anything.

88. Had you mentioned any sum to him, or he to you, downstairs?—No; I did not know where we were going when he was taking me.

89. I only want to know whether, before he took you upstairs, any sum had been mentioned between you for your vote?—No.

90. As to what you would require, or expect, or demand, or anything of that sort?—Yes, I think we did talk about it downstairs.

91. Of course it is very unpleasant to have you examined, but tell us what was said downstairs about your vote; what was said downstairs as to the money that you were to have for your vote?—Well, I do not know, I am sure; I forget now.

92. Was 15 *l.* named?—Yes, I think it was.

93. By Stackhouse or by you, or by both, or which?—By both, I think.

94. Was that the sum you wanted, and did he agree to give it; how was it?—I did not know exactly what I wanted.

95. Did he ask you if 15 *l.* would satisfy you?—Yes, I think he did.

96. Did you say it would, or would not?—Yes, I said it would.

97. Upon that did you both go upstairs?—Yes.

98. Having paid out the 15 sovereigns to Stackhouse, what next happened: were they handed to you at that time?—No; I voted, and then he gave them to me.

99. Did he go with you to the polling place?—Yes.

100. And saw you vote?—Yes.

101. And then when you came out he gave you the money?—Yes.

102. Did he get anything from you out of the 15 *l.*?—Yes, I gave him a pound back.

Cross-examined by Mr. Serjeant *Ballantine.*

103. What did you give him the pound for?—I do not know, I am sure.

104. But try; you know everything that my friend asked you, try and know something that I do; what did you give the pound for?—He asked me for it.

105. Do you always give people money when they ask you; I should like to be acquainted with such a gentleman?—No.

106. How came you to give him the pound, because he asked you; come, out with it?—I do not know.

107. You must know why you give a man money; perhaps you will tell me what you took the money for, to sell your vote, or what?—Yes, I suppose so.

108. I suppose you know whether you did, or not; you sold your vote, that was it, was it?—Yes.

109. Did you vote according to your promise; for whom did you vote?—I voted for Fenwick and Schneider.

110. You did really keep your word?—Yes.

111. Now you have told all about it, how came you to do that; how came you to tell about being bribed; there is a great deal more about Lancaster than we have heard from my learned friend; how came you to tell about it?—Robert Richmond of Sline, I think, came to Liverpool, and wished me to go down with him to Mr. Wilson's.

T. Baxter.

20 April 1866.

112. Who is Robert Richmond?—A farmer of Sline.

113. Is he anything to do with you?—No.

114. Did you tell Richmond; where did he take you to; did you contrive to make another 15 *l.*?—No.

115. Where did Richmond take you to?—He took me down to Mr. Wilson's.

116. Who is Mr. Wilson?—At Liverpool.

117. Is he an attorney; has he an office at Liverpool?—Yes.

118. He took you to Mr. Wilson, did he?—Yes.

119. How came he to take you to Mr. Wilson?—He asked me to go, so I went with him.

120. You seem a most obliging person; when a person asks you for a pound, you give it to him; and when he asks you to go to Liverpool, you go; cannot you give any better reason?—I was in Liverpool.

121. How came you to go to Wilson's; what did you go for?—I do not know; I went along with him.

122. Do you mean to swear that you do not know what you went to Wilson's for?—Well, I went with him to tell, I suppose, what I got.

123. Did you go to tell?—Yes.

124. How came you to tell, what were you to get for telling. You sell your vote first for 15 *l.*, then you give a pound commission to the person who helped to sell it for you, and then you go and tell; what did you get for that?—Nothing.

125. Then why did you tell; for the pleasure of betraying a person who had given you money; why did you tell?—I do not know, I am sure.

126. You must know; why did you tell; out with it?—I did not get anything for telling.

127. No, not yet, I suppose; why did you tell?—I do not know what I told for, I am sure.

128. You have no idea. It will come out now. You will get at it now. I can see that you are brightening up. Why did you tell; you know the Honourable Members are all waiting to hear. You are the first clue to Lancaster. It requires a good deal of meditation. Why did you tell?—Well, I do not know, I am sure.

129. Have you no idea why you told?—No, I had nothing to tell for in no way.

130. But why did you tell; you cannot tell me?—No.

131. You have no idea?—No.

132. That is perfectly true, is it, you have no idea why you told?—No, I do not know what I told for.

133. You have not the smallest idea why you told?—No.

134. That you swear solemnly, do you, that you have not the smallest idea why you told?—Well, I did not think anything about it when I told.

135. Pure innocence; you did not think anything about it?—No.

136. And that is why you told; that you did not think anything about it. I am quite sure none of us wish to hurry you. Was it that you did not care anything about it; is that why you told?—No, I did not care anything about it.

137. Is that why you told?—Yes, I suppose so.

138. Do you swear it so?—(*No answer.*)

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139. Now about this Mr. Wilson; a man generally thinks a bit before he goes to a solicitor's office; what is Mr. Wilson?—He is a shipowner, I suppose; I do not know so very much about him.

140. Where does he live?—I do not know where he lives.

141. You do not know where he lives?—He lives in Liverpool somewhere, I think.

142. You do not know where?—No.

143. I thought you went to him?—Yes, I went to his office.

144. Where is his office?—In Water-street.

145. What did he say to you?—He asked me if I got anything for voting at the last election.

146. Who do you say took you there?—Robert Richmond, of Sline.

147. Wilson asked you whether you got anything for voting; what did you say?—I said yes.

148. You answered him at once?—Yes.

149. You were not in the least ashamed of it?—No.

150. Not at all ashamed of it?—No.

151. And you are not ashamed of it now; or has any shame come upon you lately since you have joined the other side?—No.

152. Have you any shame or not?—(*No answer*).

153. What made you tell Wilson at once that you had; you had never seen Wilson before; Wilson was a perfect stranger to you, was he not?—No; I have seen him before.

154. Where?—I saw him at the election, before the election.

155. Which side was he on?—He was on Mr. Lawrence's side.

156. So that you knew he was on the other side?—Yes.

157. How came you to go to tell a man who you know is on the other side, that you received a bribe to vote for his opponents; let us understand that, please?—Well, I did it without a thought.

158. Then you go to a man, who you know was a supporter of your opponent, and without thought tell him that you were bribed. Do you mean to swear that you got nothing for it, or expect nothing for it; now I will test the truth of your testimony by that. Do you swear that you neither got nor expect anything for your evidence?—No.

159. Nothing?—I do not expect anything but my expenses.

160. Then you first take a bribe and then betray your opponent, and are to get nothing for it?—Yes.

161. Why did you do it?—Because I were a fool.

162. I am to take it that you took the 15 *l.*, and that you are a fool; that is the substance of your evidence, is it?—Yes.

Re-examined by Mr. *Cooke*.

163. Have you voted at previous elections for Lancaster?—Yes.

164. And on which side?—For Mr. Saunders.

165. That is on the Conservative side?—Yes.

166. Was Robert Richmond an old friend of yours, who resided near Lancaster?—Yes.

167. Did he come down to Liverpool and speak to you about your voting?—Yes.

168. Did he ask you to go with him to Mr. Wilson?—Yes.

169. When you got to Mr. Wilson's, were questions put to you by Mr. Wilson about your vote?—Yes, he asked me a few.

170. I mean did he ask you whether you had money for it?—Yes.

171. How much?—Yes.

172. And did you tell him?—Yes.

173. Did you expect at that time that you would be brought up here before these gentlemen?—No, I did not expect anything of the sort.

174. Mr. Wilson being a shipowner in Liverpool, am I right in saying that he has got a residence near Lancaster?—Not that I am aware of.

[The Witness withdrew.

George Hadfield, sworn; Examined by Mr. *Cooke*.

G. Hadfield.

175. Where do you at present reside?—At Lancaster.

176. What is your present vocation?—My present vocation is that of a consulting chemist.

177. Were you an elector of Lancaster at the last election?—No.

178. Have you taken any part at any election for the borough of Lancaster previous so the year 1865?—Very little.

179. I may take it for granted, may I, that you have at some election previous to 1865 slightly interfered?—Yes.

180. When was that?—The election of Fenwick and Saunders.

181. That was the contest that took place between Mr. Fenwick and Mr. Lawrence?—Mr. Fenwick and Mr. Saunders.

182. Do you know a Mr. Waring, of Lancaster?—Yes.

183. Is he connected with Mr. Williamson, who was the Mayor of Lancaster last year?—He is his son-in-law.

184. What is Mr. Waring?—He is a shoemaker.

185. In Lancaster?—Yes.

186. Did he take a part in the election of last year; the election of 1865?—Yes, I believe he did.

187. For whom?—On the Liberal side.

188. Did he, or did he not, at any time ask you to assist him?—Yes.

189. In promoting the election of the sitting Members?—Yes.

190. Can you at all tell me about how long before the polling day that was?—I cannot.

191. About. I am not particular to a day or two or a week or two?—It might be a fortnight.

192. Did you agree to do so?—I generally assist anyone on the Liberal side willingly.

193. That I have great reason to believe; but did you agree on this occasion to assist Waring in trying to promote the election?—Certainly.

194. Was the subject of money matters mentioned between you at that interview?—No.

195. Was there anything said either by you or Waring with respect to money?—No.

196. Opening houses?—No.

197. Treating?—No.

198. Did you ask him where the committee met,

met, or if there was a committee?—There was no committee.

199. Was anything said by you or himself about a committee?—I asked him if there was a committee. He told me "No," and afterwards I ascertained that that was the fact.

200. Did you learn whether he or anybody else was managing matters for the sitting Members?—I did not know who was managing matters for them.

201. Did not he name anybody?—No, he did not.

202. When he told you that there was no committee, did not he tell you who were the persons that were to manage it?—He did not.

203. Were not you to assist him in managing it?—No, not specially him.

204. To assist anybody else besides himself; to assist in the Liberal cause. Did he lead you to believe that he had the sole management of the election?—No, he did not.

205. Did he mention any other person who was engaged?—No.

206. Do you know a man named Henry Welsh?—Yes.

207. After this conversation between you and Waring, did you see Henry Welsh?—I saw a little of him. Henry Welsh was a comparative stranger to me previous to the election.

208. I mean after the conversation between you and Waring, in which you had agreed to assist Waring in promoting the election of the sitting Members, did you become acquainted with Henry Welsh?—Yes.

209. Was he introduced to you by Waring?—Yes.

210. Did you learn from Waring what Welsh had to do with the election?—No.

211. Did you ask Waring whether he had got money to promote the election?—I did not.

212. Did Waring tell you whether he had any money to do it or not?—No; the question of money was never mentioned between himself and Waring.

213. Did you mention to Waring that money would be necessary to win?—No.

214. Nor he to you?—No.

215. Did you not go with Waring to Mr. Schneider?—No.

216. Not to Alverstone?—No.

217. Did you never dine with Waring?—No.

218. Did you ever dine with Mr. Schneider?—No.

219. Did you meet Mr. Schneider in company with Waring after you had agreed to assist him?—No.

220. Do you know Lightburn House?—I do not.

221. I mean the residence of Mr. Schneider?—I do not.

222. You do not know it?—I never saw it to my knowledge.

223. You never were there?—Never.

224. Did you ever give Waring any money for the purposes of that election?—Never.

225. You never did?—Never.

226. Nor ever received any from any person for the purposes of that election?—Never.

227. Have you not said that you received a sum of money from Mr. Schneider for the purposes of that election?—Yes.

228. And that you gave that money to Waring?—Yes.

229. Who was it you made that communication to?—Mr. Cooke.

230. And Mr. Rutherford?—No.

231. And to Mr. Hull?—Yes.

232. Did you inform them that you had got a roll of bank notes from Mr. Schneider?—Yes.

233. After dining with him at Lightburn?—Yes.

234. Did you spend 30 *l.* in treating electors?—No.

235. In paying small sums to voters of Mr. Schneider's?—No.

236. Did you tell those gentlemen I have mentioned that to you had?—Yes.

237. Did you give money to a man named Brown, a farmer?—No.

238. Did you see Brown, the farmer, in Henry Welsh's shop?—No.

239. Were you at a place called the Old Ship with that man Brown?—No.

240. Did you not give that man 7 *l.*?—I do not know Brown, and never saw him.

241. Did you tell Mr. Cooke and Mr. Hull that you did?—Yes.

242. That was a falsehood, was it?—Certainly it was.

243. Do you know a man named Nicholas Cairns, a marine storedealer?—No.

244. Did you give him 10 *l.*?—No.

245. To vote for the sitting Members?—No.

246. Did Welsh give it him in your presence?—No.

247. Did you see Welsh give money to anybody?—No.

248. Not at anytime during the election?—No.

249. Nor Waring?—No.

250. Did you tell the two gentlemen I have mentioned that you had seen those facts?—Yes.

251. Do you know a man named Isaac Greenwood?—No.

252. And you did not see Waring pay him 15 *l.* at the Queen's Hotel?—No.

253. Did you tell Mr. Cooke and Mr. Hull that you had?—Yes.

254. Were you at the Queen's Hotel on the polling day?—I was not.

255. Not at any time on the polling day?—No, I think not, I am not certain. I might go in for a glass of sherry.

256. Where were you on the polling day?—I was actively engaged all over the town.

257. On behalf of the sitting Members?—Yes.

258. What do you mean by being actively engaged?—Trying to get hold of voters.

259. Did you get hold of voters?—Yes.

260. Tell me any voter you got hold of?—I cannot tell any in particular.

261. Tell me one voter you got hold of?—

Mr. Serjeant *Ballantine* objected to the question; the question was waived.

262. Mr. *Cooke.*] What do you mean by getting hold of voters; tell me any voter that you got hold of according to your answer?—I got hold of a party of the name of Thomas Woodman.

263. Where did you find him?—I found him on the quay.

264. What is he?—He works at Mr. Williamson's place.

265. Did you take him to the poll?—No.

 266. What

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266. What do you mean by getting hold of him?—I tried to induce parties to use common sense, and vote for the Liberal interest.

267. Tell us anybody that you did induce to use common sense?—I cannot tell you; I tried my best to induce everybody.

268. Tell us anybody you so induced on common sense principles?—I really cannot tell you, I tried all Lancaster.

269. Did you succeed in the common sense principle at Lancaster?—Yes.

270. Tell me any man you succeeded in polling on the common sense principle?—I did not poll any one.

271. Tell me what is the common sense principle; receiving money?—No, I never induced any one to vote for money; I should be very sorry.

272. Did you go last Friday to the office of Mr. Hull, a solicitor, in Liverpool?—I did.

273. Was your evidence taken down?—It was.

274. At your dictation?—Yes.

275. Amongst other things, did you make the statements that I have been asking you about?—I did.

276. When did you make up your mind to contradict them?—Perhaps three or four months since.

277. Three or four months before you made them?—Yes.

278. Let me understand your answer; three or four months ago you made up your mind to contradict the statements which you made last Friday?—Yes.

279. Will you just explain that to the Committee in any way you please?—I can soon do that; this man, Mr. David Cooke, is a professed Liberal, he was engaged for the Liberal party in getting up evidence in Liverpool against the two Tory Members, and it was there where I first met him; they got up an amount of evidence, and they wanted to drag some money out of Mr. Schneider to help them to get on further with it, and Mr. Schneider positively refused to give them anything, to write to them, or to take any notice of them. They afterwards came down on a deep-sea fishing scheme; a number of boats were to be built at Mortcambe Bay, to carry out the deep-sea fishing scheme; the directors' names were mentioned, a prospectus was written out, and all was very nicely got up, but I did not believe them; I knew that they were unworthy of being believed, and I was on the alert.

280. I do not understand what that has to do with it?—You ask me to tell the Committee, and I am telling the Committee.

281. I mean the evidence of last Friday?—You will get it all out if you wait patiently; I fraternized with these men, found out their design, and humbugged them as they were trying to humbug me, that is the end of the matter. Mr. Cooke comes to me, his evidence was not believed by Mr. Hull. I went to see Mr. Hull at Liverpool, at Mr. Cooke's particular request, he was not believed; and Mr. Hull wished to see me, whether it was true or not. Mr. Cooke asked me to repeat the same statement to Mr. Hull that I made to him, and I did so.

282. Let me understand now; you and Cooke having had some misunderstanding, three months ago?—No misunderstanding at all.

283. You said you found him out, and that you wished to humbug him as he humbugged you?—Yes; when a man turns round from being a Liberal, canvassing in Liverpool against the Tories, and comes here canvassing for Mr. Wilson and Mr. Lawrence, you naturally suppose he is humbugging you.

284. You discovered that he had humbugged you three months ago?—Yes.

285. You went down last Friday, did you tell Mr. Hull that you had been humbugging him?—I did not.

286. Did you lead him to believe that you were telling the truth?—I do not know, he believed what he liked; I went there to repeat the statement to him that I had made to Mr. Cooke.

287. And informing him that you were prepared to come before this Committee and prove those statements?—I did not say so at all.

288. Was not your evidence taken with that object?—I do not know what the object was.

289. Do you mean to swear that you did not know your evidence was taken for the purpose of examining you before this Committee?—I was asked to go there to repeat the evidence that I had given to Mr. Cooke, as Mr. Hull did not believe him.

290. Did you not give that evidence for the purpose of being examined before this Committee?—No; I did not.

291. Did you suppose that was taken down merely for amusement?—I did not know what he took it down for.

292. Do you mean to swear to the Honourable Members, that when you gave that evidence, you did not know it was being taken down for the purpose of examining you as a witness?—No; I never thought I should be down here at all.

293. When were you notified to come; look at this letter, and tell me if it is your handwriting (*handing a letter to the Witness*). First of all tell me when you were notified?—About the 16th.

294. The 16th of what?—Of March.

295. Is that your handwriting?—Yes.

296. What do you mean by stating "You know what I can do"?—

Mr. *Giffard.*] He did not say that that was his writing.

297. Mr. *Cooke.*] Have you any doubt that that is your writing?—None at all.

298. What do you mean by saying, "You know what I can do, and, as I informed you, I had prepared to do, always bearing in mind that I am an unwilling witness, but when I am in the box, I will state the truth"?—Yes; well I am stating the truth.

299. Then you gave your evidence to Mr. Hull, after you had been notified to be here as a witness?—I did not expect to be up here as a witness.

300. You told me you were notified in March, and you went last Friday to Liverpool, to Mr. Hull?—Yes; I expected that some arrangement was going to be made to settle it.

301. To settle what; to settle you?—No, not to settle me.

302. You gave this evidence expecting there was to be an arrangement made?—Yes.

303. That you were not to be examined?—Yes, that I was not to be examined.

304. And all you told these persons is a pure invention

invention of your own?—A pure invention of my own, and serve them right too.

305. By the *Committee.*] Do you possess a prospectus of the Deep Sea Fishing Company?—No; I got up one of my own, a Deeper Sea Fishing Company. *G. Hadfield.* 20 April 1866.

[The Witness withdrew.

WILLIAM ARMISTED, sworn; Examined by Mr. *Cooke.*

306. YOUR name is William Armisted?—Yes. *W. Armisted.*

307. I believe you are one of a family of that name, who are freemen of Lancaster?—Yes.

308. There are a great many of you, are there not, on the list?—Yes, I believe there is a good many.

309. You reside at Morecambe Bay?—Yes.

310. What distance is the part where you live from Lancaster?—Four miles.

311. Do all the freemen of the name of Armisted live over in Morecambe Bay?—Yes, I believe every one.

312. Were you seven or eight in number?—Yes. There will be more with two families, 8 or 10 perhaps.

313. Sixty voters in Morecambe Bay, and 8 or 10 Armisteds?—Yes, I think there will be.

314. Are you all relations?—Yes.

315. Are you freemen by birth, or do you get it by servitude?—No, freemen by birth.

316. What is the freedom of Lancaster, do all the sons get it if the father is free, or only the eldest son?—Yes, generation after generation, I believe.

317. I mean, if a freeman has more than one son, do they all get it?—Yes, every one.

318. Did you vote at the last election for Fenwick and Schneider?—Yes, I did.

319. Do you know Robert Shackleton?—Yes, I know Robert Shackleton.

320. Were you on a committee at Morecambe Bay?—No, I cannot say as I was appointed for a committee; I was one as went round to show them where the freemen lived, and that, but I was not appointed exactly.

321. You were not chairman or secretary?—No, I was not a committee-man; not appointed for it.

322. You were taken to do what, to point out where the voters lived?—Yes.

323. Who did you go round with to point out where the voters lived?—I went round with no party, I went and fetched them up when they wanted to see them.

324. You went to fetch them, to bring them to some place?—Yes; to some place appointed.

325. Where was the place that you did bring them up to; what was the name of the public?—Daniel Edmondson's.

326. Though he is a very great man at Morecambe Bay, the Honourable Members do not know the sign he lives under; what is the name of his public; is there not some name to it?—"The Joiners' Arms."

327. Well, that is a very respectable name; how many times did you bring the voters up to the Joiners' Arms?—I cannot say for that.

328. Do you mean a good many times?—I cannot say as ever I brought any quantity only to invite them; I cannot say how many I brought; I do not know whether I brought one or not.

329. You are quite right; it was my wrong way of putting the question. You went round to invite them?—Yes.

330. Did you do that by word of mouth. Did you say, "Will you please to go up to the Joiners' Arms to-night"?—Yes.

331. How often did you do that?—I cannot say that.

332. Several times?—A few times, I should think two or three times.

333. When you got them there, did you, after inviting them, go to the Joiners' Arms, and see those who had come?—Yes, I see some, without any doubt, and a good many.

334. In a room?—Yes.

335. Did you see them drinking?—Yes, I saw them get something to drink.

336. Did you order anything for them?—Never; not a pen'orth.

337. Had not you some money from Shackleton to do it?—Not at that time. I have got a few shillings, but not at those meeting times.

338. I am talking of before the polling day. What money before the polling day did you get from Shackleton?—I cannot say to a shilling, a few shillings.

339. To a sovereign will do for me?—I will not go so far as a sovereign; I say a few shillings.

340. Did not you get an entire sovereign on one occasion?—No, never, a sovereign at a time.

341. On the polling-day, did you see John Bond and John Edmondson?—Yes, I saw them both on the polling-day.

342. Did you and those two men go round and get voters up to Daniel Edmondson's on the polling-day?—I was very poorly that morning. I did not go round myself, but I might just go to a few places to ask them to come.

343. Did you go on the morning, being very poorly, to a few places, and ask them to come to the Joiners' Arms?—Yes, just to a few places.

344. That was very early in the morning, was it not?—It was six or seven o'clock.

345. Earlier, was it not?—No, I don't think it was. I was in bed between five and six o'clock; it would be somewhat between six and seven.

346. Did you go to the Joiners' Arms yourself afterwards?—Yes, to be sure, I was there.

347. Did you see Shackleton there, in a room?—Yes.

348. Was he by himself, or with anybody, when you saw him?—With plenty of company.

349. With the voters of Morecambe Bay?—Yes, with the voters.

350. Did you see a gentleman there that, at that time, you did not know?—Yes, I did.

351. Have you since learned that his name was Mr. Baines?—No, I never heard his name mentioned.

352. Have you not since seen him, and heard him called Mr. Baines?—No, I never did.

353. He was a stranger?—He was a complete stranger to me, and is yet.

354. However, he was in a room, a back room, up stairs?—Yes, he was in a private room.

355. A private room, up stairs?—Yes.

356. Was William Woodhouse, the younger, at the Joiners' Arms?—Yes, he was there, but I cannot say whether I saw him at the time.

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357. You saw him thereabouts?—Yes, I saw him there.

358. You say there was a room where Shackleton was with a good many people in it; voters?—Yes.

359. Was that on the ground floor?—No, it was up stairs.

360. Was it a different room to where the stranger was?—Just so.

361. Did you hear young Woodhouse call out the name of a voter, and call him out of the room where Shackleton was?—Well, I cannot say to that.

362. Yes, you can, and be cautious?—I cannot swear that; that I saw William Woodhouse invite anybody into a room.

363. Never mind his inviting. Did you see him go with a voter from the room where they were all sitting, to the Board Room where the stranger was?—I cannot say to that.

364. What can you say; what did you see him do?—I saw him in a room among the company, but I cannot say that he handed people out of one place into another.

365. Did you see the persons leave your room where you were sitting, and go out one by one, somewhere?—Yes, I did.

366. Who was the person that called them out in turn, as you have described, if it was not Woodhouse?—I cannot say who it was, it might be him.

367. Did anybody call them out one by one, or did they go of their own accord?—Our understanding was, that there was a gentleman in a private room, I cannot say who it was, as did tell us to come out.

368. You say something about an understanding; just explain that; I dare say that will be enough. You say our understanding was, that we were to go into another room; tell us what was said? — I cannot tell the words as were said.

369. All I want you to tell the gentlemen is this: What do you mean by the understanding that you were to go one by one into the room where the stranger was?—We should not have known without we had been told.

370. At the time when you say you were to go one by one, were you, voters, in a room up stairs, or were you then in a room down stairs?—In a room up stairs.

371. I will take you; were you the first who went out of the room singly, or were you not the first?—I cannot say for that. No, I think I should not be the first; I cannot recollect how many.

372. Do you remember whether others went away first?—No, I cannot.

373. Did the men that went out come back again into the room where you were, or go down stairs?—Well, I cannot say to that.

374. I will take you yourself, for instance; before you went out of the room, you remember going yourself to the private room where the stranger was?—Yes.

375. Did you carry anything with you to the stranger?—Yes, I did.

376. A piece of paper?—Yes.

377. Who gave you the piece of paper?—I should say Mr. Shackleton.

378. I know it is very painful, but you must tell the truth; did not Mr. Shackleton give you a piece of paper?—Yes.

379. And that piece of paper you took to the private room, where the stranger was?—Yes.

380. Did you give the stranger the piece of paper?—Well, I put it down.

381. When you so put the piece of paper down, what did the stranger give you. It is no use hanging fire, or making two bites at a cherry?—Well, it was 10 *l.*

382. It is well known at Mortcambe Bay, so you need not take it as a secret; I believe nothing was said by you to him, or by him to you; no question was asked?—Never a word.

383. Can you recollect whether, having got the 10 *l.*, you then went down stairs, or whether you went back into the room where the other voters were?—I think I went down stairs; but I cannot exactly recollect; I will say I went down stairs.

384. Did the other people you had left in the room afterwards go down stairs to you?—Well, I cannot say.

385. Yes, you can; a freeman of Lancaster, an intelligent man?—We cannot just study these things; they kept coming down.

386. I did not ask you what was the man's name; I ask you, after you had been down, were you followed by the people you had left in the room?—I cannot say whether anybody followed me down, or whether they went in the room or not.

387. I do not mean following you close upon your heels, but, in the course of some minutes, they gradually came down?—Without any doubt, they would come down.

388. They came down in the course of an hour or so, or half-an-hour?—Yes; I should say they would.

389. Had you seen Shackleton give a paper to other men who went out of the room before you?—No.

390. Had not you noticed that?—No; I never took no notice of it.

391. You know those gentlemen will be sure to ask you, if I do not, and therefore you had better have it out at once; did you ask Shackleton for a paper, or was your name called out, and then did you go, or did he call out your name, or how was it?—I do not know as he called my name out.

392. How was it your paper was given you to go out, if there was nobody to manage it; how was the paper given to you, if your name was not called out?—He might say, "William, take that," or something of that sort.

393. Of course he must; there must have been something of that sort; I want you to tell us how it was managed?—I cannot tell.

394. I suppose you did not take upon yourself to go when you liked?—No; without any doubt he would give me this paper.

395. Who managed; which man was to go out next?—I cannot tell that.

396. How was your name brought about?—I cannot tell who was next to me.

397. I do not ask that, because you were gone, you know; I want to know when it came to your turn, and you got this piece of paper, Mr. Shackleton said, "Now, William, it is your turn," or who said so; did anybody?—I cannot recollect as Mr. Shackleton said them words; but without any doubt I know he gave me this piece of paper.

398. I want to know what was the mode by which you got your paper; I was not there, so I cannot tell; was Shackleton the man who gave the paper as he pleased, first one and then another?

other?—I cannot say to that. We will say he gives me this paper. I cannot say what he said to me.

399. I have not asked you that?—I cannot recollect at present.

400. I have only asked you whether anybody, except Shackleton, was arranging the order in which you men, the voters, were to leave the room?—I cannot say as there was.

401. Are the Honourable Gentlemen to understand from you that it was Shackleton who arranged how you were to go?—

Mr. *Giffard* objected to the way in which the question was put.

402. Mr. *Cooke.*] Have you been an agent for Mr. Fenwick on the last election?—I was never appointed for one.

403. Were you not paid as one?—Yes, I was.

Mr. *Giffard.*] Do you mean the last election?—

404. Mr. *Cooke.*] I mean the election before. Which do you mean, the last election or the time before, or both, when I asked you the question, if you had been paid as an agent for Mr. Fenwick at the former election?—My understanding was that I was getting the thing up, and working for a day's wages.

405. Now I want to know, were you not a paid agent for Fenwick when he fought Mr. Saunders?—No, I cannot say as I was an agent.

406. Were you not paid?—Yes, without any doubt I was.

407. What money did you receive, at this very last election, besides the 10 *l.*?—Yes, that is the very last election.

408. Yes?—That is the very money.

409. But besides that 10 *l.*?—Nothing.

410. Not the shillings?—Without it would be those shillings, as I was telling you about that before.

411. When you came down stairs, and the other men came down stairs, were there carriages waiting?—Yes.

412. Did you, and the men you had seen in this room, get upon the carriages?—Yes, but they had all gone before me, and about three or four of us went in last.

413. I am not asking you that; how many men had gone away from the hotel before you and the three or four?—I cannot say how many.

414. Twenty or 30?—Well, we will say 20.

415. You, and three or four others, were left to be the last?—I think so.

416. Did you, with the other men, go away on the carriages that were waiting at the "Joiners' Arms"?—Yes, plenty of them.

417. Had they any bills on them, "Schneider and Fenwick for ever!" the usual way that carriages are marked?—I cannot say to that.

418. Who was in charge of the carriages?—I cannot say that.

419. Did you see Dr. Carruthers there?—Yes, I saw Dr. Carruthers.

420. Did you see a man named Casson?—Yes, he was there, and some more.

421. I am talking of the same polling morning that you had the 10 *l.* from the stranger in the back room; did your party wait long; did they get upon the carriages as they came down stairs, or wait for the carriages to come up?—I think they would wait while the carriages came up.

422. We expect you, with your intelligence, to tell us how that was; did you stand round the inn door for the carriages to be brought up?—The carriages came up to the door.

423. Who arranged it for you?—I cannot say who arranged the carriages.

424. Do you mean to tell us you do not know who superintended the carriages?—No, I do not.

425. To put the voters in?—I do not.

426. Who appointed the carriage for you; who told you to get upon the carriage?—Well, I cannot say who appointed us to get on the carriage.

427. Who was the master man there, that had the charge of the carriage that took you to Lancaster?—Well, he was a strange man as came down, and asked us to get on; we cannot tell who it was.

428. Did not Dr. Carruthers superintend it?—No.

429. Nor Casson?—No.

430. Nor Shackleton?—No.

431. Did you get upon the carriage, and go to Lancaster and vote?—Yes.

432. You voted for Fenwick and Schneider?—I did.

433. I want to know the names of some of the persons in the room before you left and you went to be paid; was Richard Armisted there?—Well, I cannot say for a truth whether he was there or not that morning.

434. William Armisted there that morning?—Nor William Armisted neither.

435 William Armisted, senior?—No, nor William Armisted, senior.

436. John Armisted?—Nor John Armisted neither.

437. Tell me anybody that you recollect that was there; you negative everybody I give you of the 20 men collected in that room?—I could very likely mention with safety a few, but not many.

438. Tell us a few?—There would be John Bond there, and John Edmondson.

439. That is the landlord's son?—No, the landlord's brother, and Jonas Edmondson; I cannot positively say to above them.

440. Tell me the names of the men you had invited there, ill as you were that morning, the men you had been to invite there; you can tell us that?—No, I cannot tell that.

441. Do you mean to swear to the Honourable Members that you cannot tell the names of the people you invited?—We got from one house to another.

442. Tell me the names of any of those friends to whom you had been, and invited to come?—We went to Henry Casson.

443. That is the man I asked you about?—Yes, I went to invite him.

444. Do you mean to swear that you cannot give me the names of any voters in that room where Shackleton was giving the piece of paper?—Yes, I have mentioned some of the names; I was willing to mention every one that I was positive of.

445. You have only given me the names at present of those I have given you; was Thomas Edmondson there?—Yes.

446. Daniel Edmondson?—Yes.

447. John Kitchen, the younger?—Well, I cannot say; not that morning; I know he was there the night before.

448. You saw him in this public-house the night before?—Yes.

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449. How late were you in the public-house the night before the nomination day?—I should think it would be on towards one or two o'clock in the morning.

450. Did you hear the landlord say he would stop the tap unless he got more money?—No, I did not; I did hear him mention words just on that footing.

451. What was it he said; on what footing?—He says, "All is very slack"; and he says, "I am not willing to fill any more drink"; he thought as all seemed very slack.

452. What was slack?—There was no orders or anything.

453. What led to the landlord saying that things were slack, and he should fill no more drink?—There was no order.

454. Had the drink been filled up to one or two o'clock in the morning?—Not exactly as late as that.

455. We will say up to one o'clock, then?—Up to 11 or 12; I cannot say to an hour.

456. Were the Morecambe Bay voters there pretty thick up to that time?—No, I should think a good deal of them went away.

457. They had been there during the evening?—Yes.

458. A good few were left then?—There might be a few.

459. A good few?—I cannot say what quantity.

460. I have not asked you; I say a good many were left, when the landlord said he would not fill?—There was a few, but I cannot say how many.

461. Did you see Richard Christopherson there in the room that morning?—No, I do not recollect Christopherson; I know him by sight, but I do not recollect seeing him that morning.

462. But overnight?—No, I did not.

463. You found the men in the public with money, when you came back, that you had left overnight, did you not?—Well, but I cannot just mention the men's names.

464. Do you want the Honourable Gentlemen to understand that the men went away; do you not know that they were there all night?—I went away, I should think, for three or four hours.

465. Did you find the men when you came back, after three or four hours, that you had left there?—Yes, some of them.

466. Was Adam Henderson there?—I cannot recollect him.

467. George Knight?—Yes, George Knight was there.

468. Toby Hadman?—No, Tobias Hadman was not there.

469. Are you prepared to say that?—I do not recollect seeing him.

470. Did you see Matthew Hadman?—No.

471. William Hadman?—Yes, I think he was there. I am not positive, but I believe he was there.

472. You know you had some conversation with Tobias Hadman; you canvassed him?—No, I had nothing to do with him.

473. Were you not at his house when he was canvassed?—Yes, I went to his house, but I never saw Tobias's self.

474. You were there when he was canvassed by somebody?—No; I had nothing to do with Tobias Hadman.

475. Did not you hear him say about his vote?—No; I do not recollect that ever I heard Tobias Hadman say anything.

476. Did you not hear him speak about his freedom being taken up?—I recollect going to his father.

477. Was it Matthew or Tobias?—It was Matthew.

478. Then I am wrong. What was it Matthew said when he was canvassed?—I cannot just mention the words he said.

479. Did not he tell you what Mr. Fenwick had done for him?—He said something about a good turn as Mr. Fenwick had done for him; but I cannot call to mind the words he did say; but he did not like to poll against him.

480. You say, about three or four voters only went with you; you were the last?—We all went in one little carriage.

481. Were not the other carriages just before you; did not you go, a whole party, from Morecambe Bay, carriage after carriage?—Yes; there would be; a good while before that some voters went.

482. What time did you start?—Towards nine o'clock.

483. You started before nine o'clock; you do not mean to say that the other voters went two or three hours before nine o'clock, to poll?—Yes, some started very soon.

484. That is almost as soon as you got to the public, in the morning; did you go into this room as early as five in the morning?—Where is that?

485. In this room, where Shackleton was, with the paper?—Yes; I should think it would be something between six and seven.

486. What were you doing after you got your 10*l.*, until you mounted the carriage, to go to Lancaster?—Waiting to see, I should suppose.

487. Do not talk about supposing; these are gentlemen who know something about elections: you cannot "suppose"; you know what you are doing?—We cannot recollect everything

488. I have not asked you for everything; I do not want to know everything: were you drinking, or smoking, or what?—We should be very likely getting something to drink, and stopping to see as all the freemen got away.

489. That is what you were doing; looking after the freemen, to see they were put on the coaches, to go to Lancaster?—Yes.

490. Did you have a list?—No.

491. Who were you helping to see the freemen put on the coaches, to go to Lancaster, if you did not manage it yourself?—I should be helping John Edmonds and John Bond. I remember helping them two to see as all the freemen got away.

492. Where did the carriage take you to at Lancaster?—To the polling booth.

493. Do you mean, in the first place it did not go to some committee-room?—No.

494. It drove to the polling booth?—Yes.

495. After you had voted, where did you go?—I cannot mention the place particularly; not where I went to.

496. Yes, you can?—No, I cannot.

497. I do not want any private place you went to; I want to know any public place?—I cannot recollect either private or public places I went to.

498. Did you assist in collecting the freemen to bring them back again afterwards in the carriages?—No.

499. How

499. How did you come back?—I came back with one of the big 'busses.

500. You mean the 'busses that were carrying up the voters?—Yes.

Cross-examined by Mr. *Hardinge Giffard.*

501. How far is this place, the "Joiners' Arms," from the polling booth?—About four miles.

502. Are you very well known among the Morecambe freemen?—Yes, I know them, every one, in Morecambe.

503. What time was it that you left the "Joiners' Arms" on the night of the nomination day?—I should think it would be getting on towards one or two o'clock; I cannot say to an hour.

504. What time do you think it was when you got there the next morning?—Between five and six.

505. I think you said before, to my learned friend, either five or six, or six or seven?—I cannot say to an hour; we did not take that notice. *W. Armisted.* 20 April 1866.

506. Did you go round to any freemen before you got to the "Joiners' Arms"?—The next morning.

507. Yes?—I sent round to some odd places; a few places.

508. What are your politics; are you a Liberal?—Yes.

509. Have you always voted on the Liberal side?—Always, but once.

510. When was that?—That was at the time of Mr. Salisbury's election; something like 20 years ago.

511. Ever since that time you have always voted on the Liberal side?—Yes, and always before, except that time.

[The Witness withdrew.

JOHN WESTERN was called in; and, having been sworn, was Examined by Mr. *O'Hara*, as follows:

512. I BELIEVE you are a Freeman of the Borough of Lancaster?—Yes.

513. Do you know a man of the name of Stackhouse?—Yes.

514. Do you know what he was at the last election?—He was a captain for the election affairs.

515. Did you meet him at any time just before the election?—Yes.

516. What did you do?—I went with him to different public-houses to meet the electors.

517. What did you do at the public-houses?—Treated the electors to drink.

518. Do you know what you spent?—No, I do not know the amount; we spent a good deal of money.

519. Who paid that money?—Stackhouse.

520. Do you know a man of the name of Henry Welsh?—Yes.

521. I believe he appointed you a captain at the previous election?—Yes.

522. What did you get for the duties you discharged on that occasion?—

Mr. *Giffard* objected to the question as being irrelevant.

Mr. *O'Hara* stated that he would not press the question.

523. Mr. *O'Hara.*] Do you know a man of the name of Joseph Wilson?—Yes.

524. Did you see him at any time previous to the last election?—Yes, I saw him.

525. Did he say anything to you?—I do not remember there was anything very particular, only he said I must do my best.

526. I believe you were chairman of the committee at Bolton at the last election, were you not?—I was chairman on several occasions.

527. Were you chairman on the last occasion?—Yes.

528. Did you see the electors at any public-houses?—Yes.

529. Did you treat them at the "Bull"?—Yes.

530. At the "Blue Anchor"?—Yes.

531. At the "Packet"?—Yes.

532. And at the "Fatscot"?—Yes.

533. How long before the election did these entertainments begin?—I should think two or three weeks.

534. Was there a meeting every night of electors at some one of these houses?—Yes, I think nearly every night. *J. Western.*

535. Who paid for the drink?—Stockhouse, and others.

536. Can you mention any others?—Yes, a party of the name of Hartley and Peter Moore; parties that came down from Lancaster.

537. Christopher Hartley and Peter Moore?—Yes.

538. Have you any idea what was spent each night; I do not tie you to a shilling, but about?—I do not know; perhaps a 1 *l.* or 30 *s.*, or something of that sort.

539. Do you know where Mr. Stockhouse got his money from?—

Mr. *Giffard* objected to the question.

Mr. *O'Hara* was heard in support of the question.

The *Chairman* suggested that the question had better be postponed till the agency of Stockhouse was proved.

540. Mr. *O'Hara.*] On the morning and afternoon of the polling day, were you at the "Queen's Hotel"?—Yes.

541. Did you see anybody there?—Yes.

542. Who?—I saw Mr. Welsh, and Mr. Blades, and Mr. Stephen Wright Waring.

543. Did you see Mr. Blades in this room?—I saw him in the same room Mr. Welsh was in.

544. Do you see him here?—I have not seen him to-day. I saw him last night.

545. Just look round?—Yes he is there (*pointing to a person in the room*).

546. Where were they sitting?—I did not see them sitting, I saw them standing.

547. Where?—In a room in the "Queen's."

548. Was there any placard or notice on the door?—I do not remember.

549. Was "Committee Room" marked on the window?—

Mr. *Giffard* objected to the question as being a leading question.

550. Mr. *O'Hara.*] Was there anything on the window?—I do not remember whether there was; I did not take notice.

551. Did you have any communication with

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Shackleton about a week before the election?—Yes, he spoke to me about the election.

552. What did he say?—He said he hoped I was not going to go against them, or something of that sort.

553. Anything else?—He said, I must work and do my best for the election, and I was to have so much for my expenses, and all money I laid out, or something to that effect.

554. Did he say you should have money for your trouble?—

Mr. *Giffard* objected to the question.

555. Mr. *O'Hara.*] Did he name any sum?—Yes, he named 10 *l.*

556. He told you you were to get 10 *l.* and any money you laid out?—Yes, something to that effect.

557. Did he ask you to vote for anybody?—No, he did not ask me to vote; only he said I was to work for Fenwick and Schneider.

558. Did you vote for Fenwick and Schneider?—Yes.

559. Were you ever paid?—Yes.

560. When?—On the afternoon of the election, about three o'clock, between three and four.

561. Had you voted before you had been paid?—I voted the first hour in the morning.

562. Where were you paid?—In the "Queen's Hotel"?

563. Who paid you?—I think Mr. Waring, but I will not be sure.

564. How were you paid?—The money was put on the table before me.

565. Where was it taken from?—If I remember right it was from a kind of recess or book. I saw money there, and I think it was taken from there.

566. Was the money loose in the recess, or was there anything in the recess?—In a bag or something of that sort, it was not a recess but a kind of small shelf, or something of that sort.

567. And on this shelf there was a bag?—I think it was money, but I am not sure about it.

568. Did you see anybody take anything out of the bag?—No.

569. The 10 *l.* were put on the table?—Yes.

570. And you then took them up?—Yes.

571. Did Waring say anything to you?—Yes, he asked me if that would satisfy me, or something of that sort.

572. What did you say?—I said, I supposed it would have to do.

573. Was there anybody present at that interview besides Waring?—No, I do not know that there was; there were other people in the room, but I do not know that they were attending to me.

574. Who else was in the room?—Mr. Welsh and Mr. Blades.

575. Did you see Mr. Schneider anywhere that day?—Yes, I saw him upon several occasions.

576. Where did you see him?—I saw him in the "Queen's." I saw him in the street and in the "White Lion."

577. Where did you see him in the "Queen's"?—I saw him in the front room.

578. Was it the same room that Waring was n when he paid you the money?—No.

579. Did you know a man of the name of Benison?—Yes.

580. Did you see Stackhouse together with him?—No, I did not.

581. Did you see Hadfield that day at all?—I did not see him on the election day.

582. Do you know where he was?—No, I don't.

583. Do you know Christopher Hartley?—Yes.

584. And Peter Moore?—Yes.

585. Did you ever see them treating voters?—Yes, I saw them treating voters.

586. Where?—At Bolton.

587. Did Stockhouse ever make any request of you after the election?—Yes.

Mr. *Giffard* objected to the question.

Mr. *O'Hara* withdrew the question.

588. Mr. *O'Hara.*] Do you know a man of the name of Hubert Palmer?—Yes.

589. Did he ever tell you that he got money for his vote?—Yes.

Mr. *Giffard* objected to the question.

Mr. *O'Hara* was heard in support of the question.

The *Chairman* stated that the question was not admissible.

590. Mr. *O'Hara.*] On the polling day were you at the "New Inn"?—Yes.

591. Were you there often?—Yes, very often.

592. Did you see a man of the name of Dixon there?—Yes.

593. Where did you see him?—Up in the bedroom.

594. Was there anybody with him?—Yes.

595. Did he seem satisfied to remain there?—No, he wanted to get out of the room.

596. Did anybody prevent him?—Yes.

597. Who?—Some men from the foundry.

598. Do you know their names?—The Jacksons.

599. Did you see anything brought to him?—I saw brandy, and different sorts of drink.

Cross-examined by Mr. *Hardinge Giffard.*

600. One word about this money you received; what time was it that you had the conversation you spoke of; I think you said, some time before the election, and I think you gave about the number of days; but I am not quite certain that I am accurate about your having to do work and all you could?—With Shackleton?

601. Yes; when was that?—I should think it would be a fortnight or three weeks before the election.

602. Did you work?—Yes.

603. For that fortnight or three weeks?—I assisted them.

604. On the polling-day you said you voted early in the morning?—Yes.

605. Are you quite sure that it was Mr. Waring who paid you the money; I observe you said, I think, it was Mr. Waring; will you undertake to swear it was Waring?—I would not swear it was Waring.

[The Witness withdrew.

RICHARD ARMISTED was called in; and, having been sworn, was Examined by Mr. *O'Hara*, as follows:

606. You are a Freeman of Lancaster, I believe?—Yes.

607. Where do you live?—At Morecambe.

608. Who did you vote for at the last election?—Fenwick and Schneider.

609. Do you know a place called the "Joiners' Arms"?—Yes.

610. Were you there on the day of the nomination?—Yes, I think I was there.

611. And were you on the day of the polling?—Yes.

612. Was there any drink going there that night?—Yes, as much as ever you had a mind to pay for; there was plenty, I think.

613. What did you pay?—I paid for what I got.

614. What did you get?—I cannot say that.

615. Did you get much?—I perhaps might get five or six glasses of ale.

616. Was the tap stopped at any time?—It was never stopped while you had a mind to pay for the drink, only at 12 at night.

617. It was stopped for people who would not pay?—I did not stop while it was stopped.

618. When did you leave?—Election day, I should be at my own house at six o'clock at night.

619. The day of the polling, what time were you at the "Joiners' Arms"; you said just now you were there the day of the polling?—Yes, but I do not know what time I left; I went some time about 10 o'clock up to Lancaster.

620. You do not know what time you went to the "Joiners' Arms" on the morning of the polling?—No.

621. Did you see anybody there?—Yes, there was plenty there.

622. Did you see a man called Shackleton there?—Yes, I believe Shackleton was there.

623. Did you see a man called William Woodhouse there?—Yes, I think he was there.

624. Did you see anybody there that you did not know, a stranger?—Yes, there was plenty of people there I did not know.

625. Did you have a ticket from anybody?—A ticket, no, I got no ticket.

626. Did Shackleton give you a ticket and paper?—No, he had nothing to give me a paper about.

627. Did anybody give you a bit of paper?—No.

628. Did you go up stairs to a private room?—Yes.

629. What did you do when you got there?—I got paid for my day's wages, and hardly that.

630. How much did you get?—£. 10.

631. Who gave you that?—I cannot say.

632. Then you came down again; and you went off to Lancaster?—Yes.

633. When you got there, who did you vote for?—For Fenwick and Schneider, I told you before, and I shall tell you no more.

634. Do you know Mrs. Wibbesy?—Yes, very well.

635. Did you ever have any dealings with her?—Yes.

636. What was the nature of those dealings?—She gave me 6 *l.*, and I thought I was going against my mind, and I gave it her back again.

637. She gave it to you; what for?—To poll for the blue man.

638. You got 10 *l.* at the "Joiner's Arms"?—Yes, I got tipsy; she gave it to me the night before the election.

639. And then you gave back the money?—I gave back the money, I returned it.

Mr. Serjeant *Ballantine.*] I have nothing to ask.

Examined by the *Committee.*

640. When was it you got the 10 *l.*?—It was the election day, in the morning.

641. You cannot recollect who gave it to you?—No, I cannot tell; if I was going to be hung for it I could not tell.

642. How came you to go up stairs?—I was like more people. I went up. I do not know what was the reason I went up. I went up to draw my wages, and I went to look for somebody to pay them.

643. Were there others with you in the room below?—No; well I never looked, but there was plenty in the house.

644. Did you go up alone?—Yes; I went up alone.

645. And nobody went up before you?—Well that I cannot say.

646. Cannot you really recollect that?—I went up; whether anybody had been up before I cannot say.

647. And that you swear to?—There were people went up, I dare say, but who they were I do not know, and whether they went up I do not know.

648. Whether you knew them or not, did you see anybody go up?—There was plenty went up, I must say that, but I do not know who they were.

649. And did anybody follow you?—I did not stay much longer, I cannot say that.

650. You did as others did?—I did for myself, I did not do for nobody.

651. Why did you go up into that private room; what was your object in going there?—Because I had been working for them, and I wanted my day's wages.

652. And you received 10 *l.*, your day's wages?—Yes.

653. You do not know who gave it to you?—I do not.

654. You had no paper or anything in your hand to enable you to receive it?—I knew I had to receive it.

655. How did you know you had to receive it?—Because there was a man I did not know came down and asked me if I would canvass for Fenwick and Schneider, and he would give me days' wages, and I said yes, and so I did.

656. He gave you no order on a piece of paper to receive the money?—No.

657. When you came down, did you meet any others going up?—No, I did not.

658. You swear you had no piece of paper given you?—No, I had no piece of paper given me.

659. Was your name called?—No.

660. I do not understand how you came to go up stairs?—I went up because I knew there was a man

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a man coming down that morning to pay us, and I went up to look for him, and I found him there, but who he was I cannot say.

661. Had you made any agreement that you were to be paid for your day's work?—No.

662. Mr. *O'Hara.*] May I put a question? Who told him there was a man coming down to pay him? He said, in answer to a question put by an Honourable Member, that he "knew a man was coming down to pay us."

663. By the *Committee.*] How did you know there was a man coming down to pay you?—Because the man who spoke to me about it said there would be a man down in the morning to pay us the day's wages for canvassing.

664. Who was the man that told you?—I cannot tell you. I shall tell you no more. I have told you, and I can tell you no more.

665. Who was it paid this money?—How do they generally pay; they count it down and then they take it up.

666. What do mean; they put down a 10 *l.* note?—No, they put the sovereigns.

667. There was nobody else in the same room with you?—Not a living soul only that man, and who he was I do not know.

668. Did he take it out of a bag?—I never looked what he took it out of; I took it off the table.

669. You saw it there and took it up?—Yes, I saw it there and took it up.

670. You did not see him put it down?—No.

671. I thought you said something about its being counted?—It was counted on the table for me. They do not take money up in their hands and throw it down.

672. Who counted it?—That man for anything I know, but I do not know who he was.

673. What are you in business?—I am a fisherman.

674. How many days were you employed in this work of canvassing?—Well, I do not know; happen 20; I do not know how many days it was; I never set it down.

675. Did you make an agreement for a pound a-day, or that you should be paid 10 *l.* for your work?—No, but I should say we should have 10 *s.* a-day, but I do not know. We made no agreement. He asked me to canvass for him, and so I did.

676. How did you leave the "Joiner's Arms" that morning; did you walk away, or what?—Yes, I walked away from the "Joiners' Arms"; I walked home to my own house.

677. You did not go with the rest of them?—I went by myself and my own wife; I went with nobody else.

[The Witness withdrew.

THOMAS EDMONDSON was called in; and, having been Sworn, was Examined by Mr. *O'Hara*, as follows:

T. Edmondson.

678. I BELIEVE you are a Freeman of Lancaster?—Yes.

679. Where do you live?—I live at Morecombe.

680. What are you in politics?—Well, I don't know that I have any politics.

681. Up to the last election, what side did you support?—I have voted for both sides.

682. From time to time?—Yes, from time to time.

683. Mr. Serjeant *Ballantine.*] Not every time?—No, not every time.

684. Mr. *O'Hara.*] Do you know the "Joiners' Arms"?—Yes, very well.

685. Were you there on the polling day?—I was there every day.

686. Were you there on the day of the nomination?—Yes, certainly I should be that.

687. And the next day?—Yes.

688. Did you stay there at night?—No, I did not.

689. How late did you stay?—It might be one, or, perhaps, later.

690. Was there any drinking going on when you went?—No; they had stopped the drink long before that.

691. Did you hear any reason why they had done that?—No; I was assisting him, and had nothing to do with anything else.

692. Did you hear your brother say why the drink was stopped?—No.

693. What time did you go back in the morning?—At six, or a little after.

694. Did you see Shackleton there?—Yes, I saw him there.

695. Was William Woodhouse there?—At certain times; chance times.

696. Were there many people at the "Joiner's Arms" when you went in?—There were a good many remaining altogether.

697. About how many do you think?—I really cannot say.

698. Were there 20?—I do not think there would be 20 altogether.

699. Between 15 and 20, shall we say?—We will say from about 15 to 20.

700. Did you go up stairs there at all?—Yes, up stairs and anywheres in the house where anything was to be done.

701. Did you go up stairs to a room where a stranger was sitting?—Yes, I did.

702. How did you come to go there?—I was waiting up stairs for my brother; I mean assisting him, and I was ordered in there.

703. Who ordered you in there?—I really cannot say that, I would not swear that.

704. But you were ordered up there; some one told you to go?—Yes.

705. Did anything pass when you got up there?—Yes, there was something passed; I was ordered into a room to a strange man; he gave me a small parcel; he said it was something for my expenses and work.

706. Do you mean the parcel?—Yes.

707. What did you find in it?—Ten soverings.

708. Who did you vote for at the last election?—Mr. Fenwick and Mr. Schneider.

709. After you got the 10 sovereigns, what did you do; did you go down stairs?—Yes, I went up and down many times after that, before I went to Lancaster.

710. When did you go to Lancaster?—Toward 10, very likely, I cannot say.

711. Did you see Shackleton at the "Joiners' Arms" that morning?—I don't doubt but I did.

712. Do you know where he was sitting?—No, I don't.

713. You didn't take notice?—No, I didn't.

714. How did you go to Lancaster?—I went in a fly.

715. Had

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715. Had Shackleton any writing materials about him?—I didn't see any.

716. Who told you to go to that stranger?—I don't know; there was a many people in the room; I didn't know what I was going about when I went in.

717. Can't you remember at all; you went up stairs and you suddenly got a parcel put into your hands with 10 sovereigns in it. It would be very natural to feel grateful to the person who told you to go up stairs; can't you remember him?—No, I cannot; I do not really remember who it was.

718. Don't you remember the man who put you in the way of getting 10 sovereigns?—No.

719. Did you see the man since who gave you the little parcel up stairs?—No; I didn't.

Mr. Serjeant *Ballantine.* I have nothing to ask.

[The Witness withdrew.

HENRY CASSON was called in; and, having been sworn, was Examined by Mr. *O'Hara*, as follows:

H. Casson.

720. I BELIEVE you are a Freeman of Lancaster?—Yes sir.

721. And you live at Morecombe?—Yes.

722. Who did you vote for at the last election?—Mr. Fenwick and Mr. Schneider.

723. Well, at the former election how did you vote?—With Mr. Fenwick.

724. Where were you on the day of the polling at the last election?—Both at Morecombe and Lancaster.

725. And you know the "Joiners' Arms" at Morecombe?—Yes.

726. Were you there at all?—Yes.

727. When were you there?—On the election day.

728. At what time did you go there?—Six o'clock in the morning.

729. Was the house full?—It was not full.

730. But there were people there?—Yes.

731. A good number, were there not?—Yes; a good few.

732. Did you see Shackleton there?—Yes, he was there.

733. Did you see William Woodhouse there?—He was backwards and forwards about.

734. When you went in there, what did you do?—I got something to drink.

735. Then, after that, what took place?—A man gave me some money.

736. Where did the man give you some money?—In that room.

737. Who told you to go into that room?—Well, I can't tell; I did not know the man. I was sent for in.

738. Who came for you?—To go in?

739. Yes?—I did not know him.

740. A strange man came for you?—Yes.

741. And when you got into the room you found another strange man?—Yes.

742. What passed between you and that strange man in that room?—He said he had some money for me.

743. Did he say anything more?—Yes, he said he had some money for me.

744. Did he say anything more?—Yes, he said I had got a good day's wages.

745. Did he say what the work was for which you had got the wages?—No, he did not.

746. You cannot remember who it was who told you to go into the room?—I did not know the man.

747. What did he say to you?—He said I was wanted up stairs.

748. And then you went up stairs?—Yes.

749. And this man gave you money?—Yes.

750. How much did he give you?—He gave me 12 *l.*

751. Did anybody give you a paper before you went up stairs?—No.

752. You just walked up?—Yes.

753. When you got the money, what did you do?—Oh, I went down stairs again and sat down in the house.

754. How soon after that did you go to Lancaster?—Happen an hour, I cannot say exactly.

755. Did you see anybody else going up stairs?—No, I didn't.

756. When you came down did you meet anybody?—No.

757. Did you see anybody going up stairs before you?—No.

758. Are you sure of that?—Yes.

759. And how did you go to Lancaster?—I went up on a 'bus.

760. Were there many others went with you?—There were a good few, but not many freemen.

761. But there were some freemen, I suppose?—Yes, there was some.

Cross-examined by Mr. Serjeant *Ballantine.*

762. I want to understand you; do you mean to convey that you were bribed; I should like to know what you mean; it is as well that we should have a little plain English?—Sir?

763. Do you mean that you were bribed; is that what you mean to convey?—It was bribery, no doubt.

764. What did you do with the money?—I took it home.

765. Did you give it to your wife?—Yes.

766. Was it not she who sent you into the room?—No; she got the money; I did not give it to her.

767. Did anybody see it?—No.

768. Was it all in gold?—Yes.

769. How came you to tell about this; who did you tell about this?—Nobody while now.

770. You must have done or you would not have been here?—I never did.

771. How do you think they got you to come?—I don't know.

772. You gave your evidence to some gentleman?—I never telled nobody.

773. You never told anybody?—No.

774. You never spoke of it at all?—No.

775. You did not show the 12 *l.* to anybody but your wife?—No, I didn't.

776. What! do be careful?—I didn't.

Re-examined by Mr. *O'Hara.*

777. Do you know Mr. Clarke; this gentleman here (*pointing*)?—Yes.

778. Did

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778. Did he ask you last night about your evidence?—Yes.

779. And did you refuse to give it him?—I did not tell him anything.

780. Did you say you would tell the Committee?—Yes.

[The Witness withdrew.

DANIEL EDMONDSON, was called in; and, having been sworn, was Examined by Mr. *O'Hara*, as follows:

D. Edmondson.

781. I BELIEVE you are a Freeman of Lancaster?—Yes.

782. Do you live at Morecombe?—Yes.

783. Who did you vote for at the last election?—Mr. Fenwick and Mr. Schneider.

784. What are you in politics; who do you generally go for?—I have only polled twice, and for the Radicals both times.

785. Do you know the "Joiner's Arms" at Morecombe?—Yes.

786. Were you there on the day of the polling?—Yes.

787. Were you there the night before?—Yes, I was a short time there.

788. How late did you stay?—I could not exactly say.

789. Till 12 o'clock?—No.

790. What time did you go there the morning of the election?—I really can't say what time it was.

791. Tell us about what time it was, I do not care about the exact hour; was it before seven o'clock?—No, I think not before seven; it might be eight; I cannot say exactly.

792. Were there any people at the "Joiner's Arms" when you got there?—There was very few, if any, that I saw.

793. Do you know a man of the name of Robert Shackleton?—Yes.

794. Did you see him there?—I really could not say whether I did or not; I could not swear it.

795. You could not contradict anyone saying that he was there?—No, I could not undertake to; I believe he was.

796. What makes you believe he was?—I think he was.

797. Did you get anything from him?—No.

798. Not a bit of paper?—No.

799. Nor a card?—No.

800. How long were you at the "Joiners' Arms"?—I staid there till a 'bus came.

801. What did you do while you were at the "Joiners' Arms;" did you go up stairs?—Yes, sir, I did.

802. Where to; did you go up into a back room up stairs?—Yes I did.

803. Who did you see there?—I cannot say who the person was.

804. You saw a man you did not know?—I did.

805. Did you find out who he was?—No.

806. Have you heard his name since?—No.

807. What did he say to you?—I cannot say that he said anything.

808. What did he do; did he give you anything?—Yes.

809. How much did he give you?—I cannot say exactly.

810. About how much; was it 10*l.* he gave you; did he give you 10*l.*, or was it 15*l.*; come, now?—No.

811. Was it 12*l.*; now then, you must know; do you remember whether it was 12*l.*?—I could not say exactly whether it was 10*l.* or 12*l.*

812. But it was either 10*l.* or 12*l.*?—Yes, it was one of the two.

813. What was it for?—For my expenses in coming from Annan.

814. Where is that?—In Scotland.

815. How many miles?—I cannot say.

816. How did you come?—By rail.

817. And for that you got either 10*l.* or 12*l.*?—Yes.

818. After you got the money, what did you?—I went in the 'bus to the poll.

819. Who did you vote for?—For Messrs. Fenwick and Schneider.

820. Did you see anybody else going up to that room?—No, sir, I cannot say that I did.

821. When you were coming down, did you see anybody going up?—I don't remember that I did.

822. But you remember distinctly that you got either 10*l.* or 12*l.*?—Yes.

Mr. Serjeant *Ballantine.*] I have nothing to ask.

Examined by the *Committee.*

823. Who told you that if you went up into the back room you would receive some money?—A person said that I was wanted at the "Joiners' Arms Inn," and I went there.

824. Do you know the reason for which you went there; you would not go up without knowing that you were to receive something, I suppose?—(*No answer.*)

825. Do you recollect who the man was who told you this?—That told me what?

826. That if you went up into the room you would receive something?—Oh, he did not tell me I should receive something; he told me I was wanted at the "Joiners' Arms."

827. Did you expect to have your expenses paid?—I expected it.

828. How far did you come?—From Annan, in Scotland.

829. Where did you see this young man; outside, or in the house?—He came to my house.

830. He was a perfect stranger to you?—No, he was not a stranger.

831. Who was it; do you know him?—

832. What was his name?—Robert Wilson.

833. Robert Wilson was the young man who came and told you you were wanted?—Yes.

834. He told you you were wanted at the "Joiners' Arms"; is that what he told you?—Yes.

835. Did he likewise tell you to go up to this room?—I don't remember that he did; I could not swear it.

836. Did the stranger say anything about your expenses?—The stranger never spoke to me, that I remember.

837. Did you understand that it was for your expenses?—Yes. I went into the house, and I was pointed up the stairs by some one; and I went up, and he gave me the money.

838. How did you understand it was for your expenses?

expenses?—It was for my expenses only for coming from Annan. He did not say anything more about it.

839. Did you pay your fare by railway?—Yes.

840. How much was it?—I really forget what it was; it is somewhere about 7*s.*, I believe, for one fare from Annan to Eastbank.

Mr. Serjeant *Ballantine* requested to be allowed to ask some questions about Robert Wilson at a future stage of the proceedings, if need be.

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The request was acceded to.

[The Witness withdrew.

DANIEL EDMONDSON was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

841. WE want your kind assistance in a little matter of family pedigree. We have just had a Daniel Edmondson, who said he came from Scotland to vote. Is he a relation of yours?—He is a nephew of mine.

842. You are Daniel Edmondson, of the "Joiners' Arms," and he is Daniel Edmondson, the son of your brother Jonas?—Yes.

843. You are a freeman of the borough of Lancaster?—Yes, sir.

844. And you have been so for some time, I am told?—Yes.

845. For several years. For how many years?—Ever since I was 18 years old.

846. How can that be; you could not be admitted until you were 21?—Yes, I was a freeman when I was 18.

847. I do not dispute what you say, but I did not know anybody could be registered till he was 21?—He can be a freeman, but not a voter.

848. You have voted at previous elections?—Yes.

849. And until the last election you usually voted for the Conservatives?—I have voted the other way before.

850. Backwards and forwards?—No, generally for the Conservatives.

851. Previous to this election had you promised to vote for Mr. Lawrence?—No.

852. Do you know Robert Shackleton?—Yes.

853. I do not know him, so you can tell me what he is by business?—I think he has been a landlord formerly, but I believe at the present time he is agent for some brewery in Burton.

854. He is agent for a brewery business?—I think so; I am informed so, rather.

855. You knew him as a landlord?—No, I did not; that was before he came to Morecambe.

856. Did he come to you a week or 10 days before the election?—I dare say he would, he came into my house occasionally.

857. Did he come for the purpose of the election about 10 days before the poll?—He did come within a few days before.

858. Did he come to see you about the election?—Yes.

859. Did he apply to you about the "Joiners' Arms," to engage your house for the purposes of the election?—No, not to engage it.

860. Did he canvass for Mr. Fenwick and Mr. Schneider?—No, not first of all.

861. Well, I don't want to keep you here a week?—And I don't want to be kept a week.

862. We shall get at it by and bye. Can you tell us what Richard Shackleton came about?—I cannot tell what he came about.

863. What did he say to you about the election?—No doubt he would ask me to vote for them.

D. Edmondson.

864. He would ask you to vote for whom?—For Messrs. Fenwick and Schneider.

865. You see how very easy it would have been to have told me that. He asked you to vote for Fenwick and Schneider; did you promise to do so?—Not the first time.

866. How many times did you see him before you promised to vote for Mr. Fenwick and Mr. Schneider?—I cannot say.

867. Four or five times?—Perhaps more.

868. Ten times?—I would not say that; a great many times.

869. Now, at any time, I do not care when, did he speak to you about your house being engaged for those gentlemen?—Yes.

870. Before or after you promised your vote for Fenwick and Schneider?—Before he asked me to vote for them.

871. When he applied to you to engage your house for Fenwick and Schneider what answer did you give him?—I refused. I told him I would not let him the house.

872. Did you afterwards agree that your house should be engaged for those two gentlemen?—Yes, but not on any certain conditions. I agreed to take them in.

873. You did not mean to "take them in;" you meant to do all that was right for them?—Yes; to allow him to come and bring anybody he chose.

874. You had not promised to vote for those gentlemen?—No.

875. You agreed that he might come there and see the voters at your house?—Yes.

876. And how often did he bring them in?—He brought them when he liked, many times.

877. You do not care how many times people come to your house?—No; so that they are civil and pay for their drink. That is what I want.

878. How long before the polling day was it that you agreed Shackleton should come with voters to your house?—Five or six days.

879. You did vote for Fenwick and Schneider at last?—Yes.

880. When did you promise to do so; as late as what time?—I never did promise to vote for them till I went to vote.

881. You voted without a promise?—Yes.

882. Had you always refused to promise either vote for them?—No; after I agreed to allow them to come and drink, they did not ask me, so I did not refuse.

883. Did you keep an account against Shackleton or did he give you money?—The drink was paid for as it went in.

884. Did you take the drink in and get paid?—Yes, sometimes.

885. Who paid you, Shackleton?—Shackleton.

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886. Did William Armistead?—No.

887. Was Armistead constantly with Shackleton there?—Not constantly.

888. Was he there?—Yes.

889. With Shackleton?—Yes.

890. Was John Bond there?—John Bond was there. I want to tell you as near right as I can; it is impossible to think.

891. I will save you the trouble of thinking?—I cannot remember if you do.

892. You know the Morecambe Bay voters?—A good deal of them.

893. Had you a good large party there on the night of the nomination?—Where?

894. At your house, of course?—Yes, there was a good party there.

895. Were they in several rooms, or where were they?—They were in two or three drinking rooms.

896. Shackleton, I suppose, was there also?—Sometimes he was there, and sometimes out.

897. William Armistead: was he there?—Yes, I daresay he was.

898. You daresay he was. Was he there?—I think he was.

899. Was he there?—Yes.

900. And John Bond?—Yes, I believe he was.

901. We understand that you said that some things were slack, and that you would not continue to supply any more drink till something was done. What time of the night was that?—I cannot say what time of the night it was; it is impossible.

902. Ten or eleven?—We never stopped filling till we thought it proper to shut the doors and go to bed.

903. When did you shut the house?—Between 10 and 11.

904. Did people come in and go out after that?—Yes; but the door was shut.

905. Oh, the door was shut, and you let people in when they knocked?—Yes.

906. You had voters there all the night, had you not? Do not attempt to deceive these gentlemen. Remember you are on your oath?—I am not going to deceive you.

907. I hope not. Were there voters in the house all night?—Well, there might be; but I could not pick anyone out.

908. Will you swear there were not several?—No, I will not swear that, because there might be, but I cannot pick anyone particular.

909. I have not asked you to do so?—There was people in the house all night, and there may have been voters amongst them.

910. Do not you know there were. Did not several remain all night?—I could not say that; I do not think they did.

911. How early did they come the next morning?—Between four and five in the morning.

912. Between four and five in the morning; that will do for me. That is so, is it?—Yes.

913. We hear there was a stranger in the back room?—There was a stranger, but not in the back room.

914. He was in the front room, then, was he?—The back rooms are all bedrooms.

915. Very likely; a person can bribe in a bedroom as well as anywhere else. Was he in a front room?—Yes.

916. Where was Robert Shackleton?—In a front room.

917. Adjoining the other?—Yes.

918. The room next adjoining that where the stranger was?—Yes.

919. There was no room between those two?—No.

920. When did that stranger arrive?—It was pretty early in the morning. I could not exactly say when. I do not want to say to a minute or to an hour, because I cannot. He was there early in the morning.

921. Did you go to bed yourself all that night?—No, I did not. The rest of the family did.

922. Did he arrive in a vehicle?—I never saw him until he came into the house.

923. Did he come with Dr. Carruthers?—I think he was with him.

924. Had Dr. Carruthers been in your house the previous evening?—He had.

925. Had you not told Dr. Carruthers that you would not draw more drink without orders?—No; the drink was not stopped drawing.

926. Did you not tell Dr. Carruthers that you must have money. Was there any conversation between you and Dr. Carruthers about this?—It is very hard to remember all this.

927. No, it is not; as landlord and money are very near together. I ask you whether Dr. Carruthers and you had some conversation overnight about money?—I do not think I had.

928. Did not Dr. Carruthers, in consequence of what you said, leave your house?—No.

929. Did he leave your house?—Yes; he was away several times. They went out.

930. Was any money paid when they came back?—No.

931. Was there no agreement?—No.

932. Did Christopher Heardley come back?—I believe he did.

933. Who did you speak to about the drink or the orders?—When he came back or before?

934. Before?—I could not say exactly. I might speak to Shackleton. Very likely I should.

935. Have you any doubt that you did?—No; no doubt at all.

936. You did speak to Shackleton. What did you say to him?—I told him I would not serve drink without being paid as I went on.

937. What did he say upon that?—He said the drink would all be paid for; but I said I would not run my chance of it.

938. How soon after the conversation between you and Shackleton did Dr. Carruthers go away?—I do not know that.

939. About what time?—It might be an hour. It is impossible to remember such things.

940. I am helping you as well as I can?—I am much obliged to you.

941. Was there a trap sent to take him away anywhere?—Not from our house.

942. There is a railway from your place to Lancaster?—Yes.

943. Did you know from Shackleton that Dr. Carruthers was going to Lancaster?—No.

944. Did you know from Dr. Carruthers himself?—He left without saying a word.

945. How long had he been in that evening of the day when he left?—I do not know.

946. All the evening?—Perhaps.

947. In and out of the rooms where the voters were?—In and out. There were lots of people besides these.

948. Was John Edmondson there that evening?—Yes.

949. Did

949. Did he leave with Dr. Carruthers?—Yes.
950. Did John Edmondson come back?—Yes.
951. And the stranger?—Yes.
952. Is that John Edmondson the son of Daniel Edmondson?—Yes.
953. When the stranger came where was he first accommodated?—He came into the kitchen.
954. With the Doctor?—They were very near together.
955. At that time of the morning that was the most comfortable place?—Yes.
956. Was Shackleton with them?—No, he was not.
957. Where was Shackleton then? In the house?—No, I believe he was not in the house.
958. Did he go from the house that night?—Yes, he went out of the house.
959. What time did the stranger get into that front room? How soon after he came?—Seven o'clock in the morning, perhaps; six or seven.
960. Did you take him up there?—No.
961. You are the landlord, and can tell us about these things. Did he make arrangements to have the room to himself?—He had not the room to himself.
962. Who was there?—Those men you were speaking of.
963. Who assigned the stranger that room?—I could not positively say.
964. You are the landlord, you know. You had to satisfy these gentlemen. Did nobody apply to you for that room for the stranger?—No.
965. Did he take it without asking leave?—No, he did not take it without asking leave.
966. Did he take it without leave?—Some of the men that came with him would go into the room.
967. Who do you mean when you say those men who came with him?—John Edmondson, Dr. Carruthers, and others. He was in the room. It is impossible to say who took him in the room
968. Up to what time did that stranger remain in your public-house?—Perhaps to between nine and 10 o'clock, to the best of my judgment.
969. What became of him then?—He went away.
970. Did he go on a 'bus?—Yes.
971. To Lancaster?—Yes, I should think he did.
972. Was it the last 'bus?—It was the last, or very near the last.
973. Did he have his breakfast?—Yes.
974. Where?—Downstairs in a room.
975. What room was it?—In the room we call the back parlour.
976. Who did he breakfast with?—A great many people.
977. Was Dr. Carruthers one?—He would be there.
978. And Edmondson?—Yes. They had it, perhaps one after another. I don't say they had it all together.
979. Shackleton was in an adjoining room, you say?—Yes.
980. And the voters with him?—Yes.
981. Who managed the voters' going upstairs?—They perfectly knew the way into the club-room upstairs.
982. Were they told to go into the club-room?—Yes.
983. Who was in the passage to show them the way up?—I don't know.
984. Was Woodhouse there?—Yes.
985. To show them the way?—Sometimes, no doubt.
986. Were all the voters shown up to the club-room?—Either shown up or told to go up.
987. Were you upstairs at all whilst those voters were in the room with Shackleton?—No.
988. You did not see them go one by one to the stranger?—No.
989. What was the stranger's name?—I don't know his name.
990. Do you swear that man came and stayed with you, and you did not hear him called by any name?—No.
991. Upon your oath, do not you know it was Mr. Baines?—I do not.
992. Have you seen him since?—No, sir, not that I am aware of.
993. Will you swear you have not?—To the best of my knowledge.
994. To the best of your knowledge! You do not see the man in the room every day. I should think he would have raised your curiosity?—I never saw him to speak to.
995. I did not ask you that?—Not to my knowledge.
996. Will you swear you have not seen him to know he was the same?—Yes.
997. You do not know his name was Baines?—No.
998. You do not know he was one of Mr. Schneider's clerks?—No; I do not know Mr. Schneider's clerk.
999. What were you paid afterwards?—£.5 for the room.
1000. Which room?—What I call the sitting-room.
1001. This stranger's room?—Yes.
1002. Who paid you for it?—The stranger.
1003. The stranger paid you for the room some one else had put him in?—You said "showed" him.
1004. You were applied to, then. I see you are a special pleader. Who applied to you?—Shackleton, or Dr. Carruthers.
1005. Or both?—It might be, but I cannot say exactly.
1006. Have you any doubt about it?—I could not swear it.
1007. What did you receive for the other parts of the house, including the drink?—Including the drink?
1008. Including everything?—It is impossible to tell.
1009. £.180?—No.
1010. £.100?—No.
1011. £.75. Tell me what less?—I could not tell within 5 *l.* I did not get it all in a sum, for I had let it run that I might have a better chance.
1012. Tell me from the nomination day. You had a cheque, had you not?—No, I had no cheque.
1013. Did not Shackleton pay you?—No.
1014. Who then?—Strangers to me.
1015. That is, the 5 *l*?—Yes.
1016. Did the strangers come and pay you?—I beg your pardon; Shackleton paid me for the drink, but not for any other part of the house.
1017. What did the stranger pay you for besides the room?—Bottles of wine, and some breakfast.
1018. Breakfast?—Breakfast.
1019. What did he pay?—Something into the teens of pounds.
1020. Into

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1020. Into the tens of pounds?—No; into the teens of pounds.

1021. £. 17 or 18*l*.?—No, not so much as that; 13 *l*. or 15 *l*.

1022. What did Shackleton pay you himself after the polling?—Nothing.

1023. Do you mean to swear you have had no money paid you since the polling-day?—Only when he has come to have a glass or two of beer.

1024. Do you mean to say no one has paid you since the election?—Not concerning the election.

1025. Had you money on the polling-day paid you after Dr. Carruthers came back from Lancaster?—By whom?

1026. By Dr. Carruthers?—No.

1027. By anybody?—No.

1028. Not when you said you would not draw drink without orders? Had you money paid you that morning?—Of course the stranger paid me.

1029. What is the money you have had since, but not for the election? What is the amount?—I have had nothing since from them.

1030. Nothing for the vote, do you mean to swear?—Yes.

1031. Nor anything for your house?—No.

1032. How much did Shackleton pay you?—He never paid me any sum altogether.

1033. How much about?—As much as the stranger, he might.

1034. £. 50. first and last?—No.

1035. How much less?—He did not pay me half of 50 *l*.

1036. Tell me how much?—£. 15, or something like that, perhaps.

1037. Who brought the carriages up? Did they come from Lancaster?—I should think they did.

1038. Did you go in one of the earliest, or one of the latest?—One of the latest.

1039. Did Dr. Carruthers go in your trap?—No, neither of them.

1040. Did you leave the stranger behind, or did he go first?—He went soon after.

1041. You saw him in Lancaster soon after?—Yes.

1042. Where?—Near the National School, where we voted.

1043. Who did you see him with?—Nobody particular.

1044. That is just what we want to know; you won't mind stating whom?—It was not any particular person; it was just in the street.

1045. I thought you told me you never saw him since he left the house?—Not since he left the house, but since the day of the election, I mean.

1046. Did you see him in Lancaster that day?—I went home by the next train, and was not in Lancaster half an hour.

1047. You would know the stranger if you saw him?—I think not.

1048. You would not know the man?—Perhaps, if he was in the same dress, I might.

1049. What was his dress that day? What was his coat?—I could not exactly tell the coat.

1050. His waistcoat?—I could not tell.

1051. His trousers?—He had a kind of lightish coloured trousers.

1052. If you don't know now what his dress was, the same dress would not help you in recognising him? Have you not seen him in London as one of the witnesses? Will you swear that?—Yes, I will.

1053. Have you seen him outside?—To the best of my believe I have not.

1054. What makes you doubt?—Because I have not seen anyone that I thought was like him.

1055. What was there remarkable about the stranger?—Nothing particular; scores and hundreds come to my house.

1056. No doubt, but you do not get a man to engage a room for himself at four o'clock often. You knew him near the National School, Lancaster?—Yes.

1057. What colour was his hair?—I think sandy, something similar to my whiskers, I should think.

Cross-examined by Mr. Serjeant *Ballantine*.

1058. How many of these Morecambe voters are there altogether?—I do not exactly know; about 60.

1059. How do they go to the poll at the Lancaster election?—There were 'buses down for all three parties.

1060. What do you mean by all three parties?—There were cabs and 'buses.

1061. How did they vote. Did the majority vote for Conservatives or Liberals?—The Liberals, I think.

1062. Whose was the Conservative house?—Mrs. Willis's and Mrs. Drinkall's.

1063. Were there a good many there?—There were a good many at Mrs. Willis's.

1064. A good deal of drinking and going on there of that sort, was there not?—Yes, as far as I am told, I should think so.

1065. And at the other houses also?—Yes.

1066. I suppose these people are fishermen chiefly?—A good deal.

1067. That is a great trade?—Yes, a very great trade.

1068. Had you any offer made to you from the other side?—I had an offer made.

1069. By whom?—James Carruthers; he offered to take the house.

1070. Any on the Conservative side?—To vote for them, do you mean?

1071. Yes.—Yes.

1072. Is James Carruthers a Tory?—Yes.

1073. The other is William; families are divided in these matters, I suppose?—Yes, I suppose so.

1074. Did Carruthers offer you any inducement except that of being on the right side?—No, not any inducement except being on his side.

1075. What was he going to give you for your house?—He was going to engage a room for 10 *l*.

1076. And you inclined to do so?—I let him the room, and he ran off because he was put on for Skearton and not for Morecambe, and I was advised to go to Copeland.

1077. Did you get your 10 *l*.?—No.

1078. Was your house engaged for Saunders at the previous election?—Yes.

1079. Were you in it then?—Yes.

1080. Were you as well paid then as this time?—I was paid for everything I supplied them with.

1081. And you were as well paid as this time?—Yes.

WILLIAM WOODHOUSE, sworn; Examined by Mr. *Cooke*.

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1082. YOU, I am told, live at Morecambe Bay?—Yes.

1083. What are you by trade?—I am proprietor of boats and bathing machines.

1084. Well, that is a very clean business; I believe you are also one of the Board of Health?—I believe I am so.

1085. Were you, during the last election for Lancaster, at the "Joiners' Arms"?—Yes.

1086. I believe you took an interest in the success of Messrs. Schneider and Fenwick?—I did.

1087. You had no vote to give them?—No.

1088. You are not a freeman of Lancaster?—No; I wished I was one.

1089. It is a very profitable business, is it not?—It is.

1090. What time did you go to the "Joiners' Arms" on the nomination day?—I really cannot tell you.

1091. Up to how late at night were you on the nomination night; was it midnight or after?—Not so early as that.

1092. Then how early did you get there in the morning?—I cannot say.

1093. Five o'clock?—After that time, I think.

1094. Somewhere before six?—Some time.

1095. Pretty early ish?—It was not very early.

1096. Your bathing machines don't get you up before five in the morning?—Oh yes, at four o'clock sometimes.

1097. You do not call it early to be up before six; I do. Well, between five and six, were you there?—No, it would be six or seven.

1098. When you got there did you go upstairs?—I was in a room upstairs.

1099. Was that a room where Shackleton was with the voters or where the stranger was?—I did not see the stranger.

1100. What was the room you were in?—The room where the men went up.

1101. And got their money?—I don't know that there was a room for all the freemen to go up to.

1102. Did you stand in the passage and show them up?—No.

1103. Did you not show a good many the way?—I went round the town and sent them to the house, and sometimes I went with them.

1104. Did you tell them there was a room upstairs, because we hear they went straight up there, directed by some one?—I sent them into the house, and then they went upstairs.

1105. What number of freemen do you suppose you brought, and guided, and negotiated with?—I really cannot say.

1106. May I say 30 or 40?—Oh, no.

1107. Twenty-five?—No; three or four, perhaps.

1108. Dear me! the appearance of you negatives that; a man like you wouldn't spend his time upon only three or four?—Ah, well!

1109. Do you mean to say you only sent three or four; it would be hardly worth the trouble for a man of your stature and build to send only three or four?—That is all I sent.

1110. Up to what time did you remain at the "Joiners' Arms"; you saw that coaches went off?—Yes.

1111. And you helped to see them comfortably packed in the coach?—I saw them in the coach.

1112. How many coaches were there to take them, six or eight?—I never counted them.

1113. Did you see Dr. Carruthers there?—I believe I did see him there about nine o'clock.

1114. Have you any doubt of it; mind, we have had it proved over and over again, so you need not hesitate?—I will not swear to it.

1115. Did you see Robert Shackleton there?—Yes, I think he was there about nine o'clock.

1116. Did not you see him in this club room, where you sent the voters to?—No.

1117. Were not you up in the club room?—I was there, but did not see him.

1118. Where did you see him that morning?—In the house.

1119. What part of the house?—I cannot say.

1120. A Board of Health man is rather a swell in the country?—That makes no difference. I can only speak from memory; I will tell you from memory.

1121. I suppose you will tell us from memory; you can't do anything else if you tell the truth. What room?—I really cannot say.

1122. Who was he with?—He was amongst other people knocking about the same as myself.

1123. You were telling the people which way to go?—No.

1124. He was doing like you, you say?—I cannot tell what he was doing.

1125. What were you doing; you were not a voter?—And that makes the difference. I told you I was there taking the freemen there.

1126. You were there taking the freemen. What did you see going on that made you wish to be a voter?—Because I should like to be a voter.

1127. No doubt; why?—Because I am a Liberal, and I wanted to vote for them.

1128. Did you see anything liberal going on in the "Joiners' Arms"?—No.

1129. Were they giving drink?—No.

1130. And you did not see them giving any money?—No.

1131. Nothing?—No.

1132. That is true?—Yes.

1133. That is what you state as a Liberal?—There was drinking going on, and people paid for their own, for what I know.

1134. You saw these voters pay for their drink?—Not one.

1135. Who arranged for the carriages that you saw with the voters going upon them; who called out "Now, Jim," "now, Tom," and so on?—The freemen went up of their own accord.

1136. Did you hear the sovereigns jingle?—Have I seen a sovereign? I have one or two in my pocket now.

1137. Which were paid you on that day?—No, I never had one given me.

1138. Did you go to Lancaster yourself on one of the coaches?—Yes.

1139. Did you go with one of the first batch of freemen, or one of the later ones?—I cannot say.

1140. Did you go in the same carriage as Shackleton?—No.

1141. Did you leave him behind?—I cannot say.

1142. Nor Dr. Carruthers?—Nor Dr. Carruthers.

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1143. Did you see the stranger?—I see'd a good many strangers.

1144. I mean the stranger that had the swag?—I never see'd any stranger with any swag.

1145. Did you not know there was a man by himself in the room upstairs?—No; I never saw a man there.

1146. Do you mean to swear solemnly that you did not know there was a man in the room upstairs to pay those voters?—I said I never saw a man in that room.

1147. I did not ask you that. It seems you are a special pleader. Did you never hear of it till I mentioned it?—I hear a good deal of things.

1148. Till I mentioned it here to-day?—I have heard of a good deal of strangers.

1149. You will not let me finish my question. Your bathing machine is a very sharp vehicle. Did you never hear of a man in the room distributing sovereigns to the freemen, till I mentioned it to-day? Look at the gentlemen of the Committee, and tell them, on your oath?—No.

1150. You never heard it, that, till I mentioned it?—No.

1151. Then why did you tell the voters to go upstairs?—To gather them together and get them off to Lancaster, and keep them there, so that the other party should not get them.

1152. You did not tell them to go in order to get money?—No.

1153. You did not believe they had any money from that man in the room?—No.

1154. That is as true as anything you told me?—Yes.

Mr. Serjeant *Ballantine.*] I have no question to ask.

Examined by the Committee.

1155. Did you go into the room upstairs at all?—Yes, I was in a room; in one room.

1156. Did you see any gentlemen there?—No; I did not know there was any but what belonged to Morecambe.

1157. Was the room empty?—No; there was a good deal when I went up at the first.

1158. Was there anybody in the room you did not know?—Well, I cannot say that.

1159. Do you know Mr. Baines?—No.

1160. Upon your oath, you do not know who this stranger was?—Indeed, I do not.

1161. You swear that on your oath?—I will swear it.

The Witness withdrew.

JOHN EDMONDSON, sworn; Examined by Mr. *Cooke.*

J. Edmondson.

1162. ARE you John Edmondson, the son of Daniel Edmondson?—Yes.

1163. What relation are you to the landlord Edmondson?—I am brother to him.

1164. Do not be offended with me for asking that. You and he have been talking since he left the room?—Yes.

1165. And he has told you what you were asked about?—Some things.

1166. And he has told you what he swore; attend to me, and look towards those gentlemen (the Committee), and be careful that you do not swear anything that is not true.

Mr. Serjeant *Ballantine* objected to the Witness being cautioned in this manner by Mr. Cooke.

1167. Mr. *Cooke.*] Do you live at a place called Palton?—It was called Palton; it is Morecambe now.

1168. Are you a freeman of Lancaster?—Yes.

1169. Did you vote for Fenwick and Schneider?—I did.

1170. Were you at your brother's house, the "Joiners' Arms," on the evening of the nomination?—Yes, I think so.

1171. Have you any doubt about it; were you at the "Joiners' Arms" on the nomination evening?—Well, I am almost sure I was.

1172. Why do you say "almost;" were not you there?—Well, I think I was there.

1173. Have you any doubt about it?—No, I have not.

1174. What time of the evening did you get there?—I should be in many times during the day.

1175. Were you there when your brother said anything about stopping the tap?—I don't know that he said anything about stopping the tap.

1176. About stopping the filling; about giving no more drink?—I don't know as he said anything about "filling."

1177. Or anything about the drink?—No, I don't know as he said anything about it; not to me.

1178. Did you go away from the house that night to Lancaster?—I did.

1179. And walked up the line of railway with Dr. Carruthers?—I did.

1180. What time of night did you start?—I cannot say. I should think we got to Lancaster about 12; so it would be about 11 when we set off; it would take about an hour to walk.

1181. Where did you go to first in Lancaster?—We went to the "White Lion;" I think that is the sign of it.

1182. Having been to the "White Lion," where did you go next?—To the "Sun," I believe.

1183. Well, we come to the "Sun" now; he was not up at 11 o'clock at night, of course. Were you at the "Queen's" after that?—Yes.

1184. Then did you go to the "King's Arms"?—No.

1185. Did you see Mr. Schneider?—I did not.

1186. Did not you go to the vicarage?—No.

1187. Did you go with Dr. Carruthers to the vicarage?—No.

1188. Near the vicarage?—The "Queen's" would be the nearest to the vicarage.

1189. Did Dr. Carruthers leave you at the "Queen's" for a time?—He left us when we were getting into Lancaster, and turned off.

1190. Oh, I see; then, who was with you. You say, "he left us"?—Christopher Hardley.

1191. On entering Lancaster, Dr. Carruthers and Christopher Hardley went with you to the "Queen's"?—No, we went to Peter Moore's.

1192. Dr. Carruthers, you say, turned off; where did he join you again?—He was in a cab when we joined him again at Peter Moore's.

1193. Who was in the cab?—Dr. Carruthers.

1194. You and Hardley went from the "Queen's" to Peter Moore's, and there saw Dr. Carruther's?—No, we went to Peter Moore's; from

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from there I went to the "Sun;" I left Hardley at Peter Moore's.

1195. You may understand this, but I don't; did you find Dr. Carruthers at Peter Moore's again?—Yes.

1196. You started from Morecambe Bay together; then you separated, and after a while came again together; where did you meet?—I think we should meet at Peter Moore's again.

1197. Did you there all three get into a fly or carriage?—Yes, I think so.

1198. Sooner or later, did you get into a carriage, and did that carriage bring you back to the "Joiners' Arms"?—It brought us back to the "Joiners' Arms." A gentleman was with us.

1199. This strange gentleman?—He was there.

1200. Where?—In the carriage.

1201. Was he in the carriage when you got in?—Yes.

1202. When the carriage was at Peter Moore's door?—Yes.

1203. Did you know from Dr. Carruthers whether he had seen Mr. Schneider?—No, he did not tell me.

1204. What did he say?—I do not think he said anything about the word "seen."

1205. Did Dr. Carruthers seem to know this stranger?—No, I do not know.

1206. How came you to get into the carriage with a stranger?—I suppose he went in for money, as far as I know.

1207. Had he a bag with him?—I never saw one.

1208. No bag?—I never saw one.

1209. Had he not a bag under the seat?—I never saw one.

1210. Did you not now, upon your oath, did you not assist in handing it out?—No.

1211. Did Dr. Carruthers shake hands with you?—The two were in the carriage.

1212. They called to you two to go in?—Yes, we came down with them.

1213. It was one of the flys from the Queen's Hotel, I suppose?—No.

1214. Was it not a "Queen's Hotel" fly?—No, it was Tommy Hodgin's.

1215. Where does he live?—At Morecambe.

1216. And it was one of his flys, was it?—Yes, and he was staying at Lancaster.

1217. Was he one of the men whose vehicles were engaged for the election?—Well, I suppose he was.

1218. Had it placards about it, that they generally put upon such flys?—I cannot say whether it had any placards. It was used for that purpose.

1219. You got to your brother's at two in the morning?—I daresay it was about that time.

1220. Did you all four go in?—Yes.

1221. You?—Yes.

1222. And the stranger?—Yes.

1223. And the Doctor?—I do not know whether he went in or not.

1224. What became of Christopher Hardley?—I think he went in.

1225. Where did you go there?—To the kitchen.

1226. Did the stranger go to the kitchen too?—The stranger too.

1227. Did you see Robert Shackleton there?—No.

1228. Not at any time of the day, that day?—Yes.

1229. He was in that day?—Yes.

1230. Did you see him on the polling day?—Yes.

1231. Where was he on the polling day?—I see'd him there in the morning.

1232. Where?—At the "Joiner's Arms."

1233. Where? In different places, I suppose?—In different places.

1234. Where, in what room; in different places, I suppose?—In different places.

1235. Did you see him in the bedroom?—No, I was not within the bedroom.

1236. Did you see him in the room upstairs?—There was a room upstairs.

1237. Was that the club room?—It is used for a club room sometimes.

1238. I do not suppose a club is sitting there always; was it the club room?—Yes.

1239. What became of the stranger when he got in?—The stranger?

1240. Yes, that is the word I used; the "stranger?—He went into the kitchen.

1241. Did you see him afterwards?—Not till the morning.

1242. In the morning where did you first see the stranger?—I see'd him in the room.

1243. By himself?—By himself.

1244. You went in to see him?—Yes.

1245. Did he give you something?—Yes.

1246. How much did he give you?—15 *l.*

1247. Had you a previous ticket from Shackleton?—No, I had not.

1248. I suppose he knew you had no need for a ticket?—Of course.

1249. Had there been any sum fixed before you went in, or did you leave it to the stranger to give you what he liked?—He would give me what he liked.

1250. Did he count out 15 sovereigns; come, I want to know just what happened?—I cannot say.

1251. Tell me all about it; did you knock at the door, or go in and make a bow?—I went on because I had seen him before.

1252. Did anybody say to you "now, John," or "now it is your turn"?—No, I went in after the others came out; we went in one at a time.

1253. Precisely so, you took your turns; did you go; where did you go from the club room?—I came downstairs.

1254. Did the other people come the same way?—Yes, they came up the stairs.

1255. And went in turn, one at a time, into this room?—They went one at a time into this room.

1256. Did you see any of the others with a ticket; you know you had not one, because you were known to him; did you see any of the others with a ticket?—No, I did not.

1257. You travelled with him, and you knew him, of course, did anything pass more than this "how do you do"?—No.

1258. Did he count the money down?—No, he gave it in my hand.

1259. Did he give it you loose?—Loose.

1260. It was quite enough for you, and you did not bargain for any more?—No.

1261. Did you see no bag when he got out of the carriage, and went into the kitchen?—I did not.

1262. You do not get such a stranger as that every day, and have a ride in a fly with him?—No, I do not.

1263. Have you ever seen him since?—No.

1264. Have you not seen him about these very committee rooms?—Here?

1265. Ay,

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1265. Ay, here?— No, not in this room.

1266. Have you not seen him in London since you arrived?—Not as I am aware of.

1267. How was he dressed?—I can hardly say. I think he had a top coat on.

1268. A top coat on in the room when you received your money?—No, I mean when he came down.

1269. What sort of hair; was it black, or gray, or sandy, or what?—I think he had gray hair.

1270. You think he had gray hair, do you; had he dark or light trousers. You know I do not want to know who the stranger was?—I cannot say whether he had or not.

1271. Do you know a gentleman named Baines, one of Mr. Schneider's clerks?—Not personally.

1272. Do you know his brother, the tinman. I do not mean anything to do with money; but do you know his brother, a tinman?—No, I do not know that I do.

1273. I do not mean a man that distributes sovereigns every day, by tinman?—I do not know a tinman of the name.

1274. Do you not know a tinman called Baines, at Burrow-in-Furness?—No.

1275. You know Burrow-in-Furness?—Yes.

1276. Do you know Baines, the tinman, there, the brother of Mr. Schneider's clerk?—No.

1277. Have you seen a man like him outside?—Like Baines?

1278. Yes?—No.

1279. Did you not hear that stranger called by that name?—I heard him called Mr. Jenkins.

1280. Oh, we have got it now; Jenkins, that was his name; was he called Jenkins by Dr. Carruthers?—That was what he was called.

1281. Did you see Shackleton in the club room?—Yes.

1282. Did you see that man, Woodhouse, I had just now, the bathing machine man?—No, I do not know that I saw him with Shackleton.

1283. With your brother, I mean?—Yes.

1284. What was he doing?—He was looking about and getting people to vote for Fenwick and Schneider.

1285. Was he getting them upstairs?—Yes, backwards and forwards, whenever he could light upon them.

1286. And sending them upstairs and bringing them down?—Sending them up, I suppose.

1287. Did you see him and the stranger together?—I do not know, I say.

1288. The stranger was talking to most of you, I suppose; Jenkins, I mean?—No; I was in the kitchen for a very short time.

1289. He went upstairs pretty quickly, did he?—I do not know.

1290. You lost sight of him?—I went out.

1291. Did he come downstairs to have some breakfast; did Jenkins come down?—I never saw him.

1292. Did he not go to London with some of you?—He did not come with me.

1293. Did you go with one of the early omnibuses?—No, I was the last; I went in Mr. Schneider's carriage; I started with the 'bus, and got off at the bridge.

1294. Was his carriage there, with his coachman, to bring some of you?—There was coachmen; for anything I know, they was his.

1295. Let me know about this carriage; was it a gentleman's carriage?—Yes, a gentleman's carriage.

1296. And how many of you got inside?—I cannot say.

1297. I suppose as many as it would hold?—It was well filled up.

1298-9. Inside and out?—Well, inside.

Mr. Serjeant *Ballantine.*] What carriage is this.

1300. Mr. *Cooke.*] Mr. Schneider's. What became of Shackleton; did he go to the carriage?—I do not know.

1301. You and somebody arranged the men outside, to see they all went. You helped to see that all the freemen went by some carriage or other?—Yes, we was trying to see them off; there was a 'bus down.

1302. I know. Did you know what became of Shackleton?—I do not know.

1303. Did you not see the stranger and Woodhouse together?—I cannot say I ever saw them together.

1304. Did you not see Shackleton with the stranger?—Yes, I think Shackleton was with the stranger.

1305. You went to Lancaster, and voted for Fenwick and Schneider?—Yes.

1306. I thought I had asked you that before, but I am told that I did not?—Yes, you asked me that.

1307. I thought I did. When were you canvassed for your vote?—I was canvassed the first day I started, perhaps.

1308. Was it a week or two before the polling, or what?—It would be.

1309. Who canvassed you?—The members canvassed me at Lancaster.

1310. When you were at the assizes?—No.

1311. Were you canvassed by Shackleton; did he not come there to canvass your brother and the other Morecambe Bay voters?—Oh, yes; he canvassed me.

1312. Had you promised your vote to Shackleton?—No; I said I would not tell anybody until the day.

1313. Did Shackleton tell you what they gave for a split vote, and what for a plumper?—He did not.

1314. Didn't he say 7 *l.* 10 *s.* for one?—He said they would give nothing for a split.

1315. What was he to give for a whole vote?—They wanted them to vote for Fenwick and Schneider.

1316. What would they give?—I don't know.

1317. Was nothing said about 15 *l.*?—Nothing was said to me about 15 *l.*

1318. How much did you expect from the stranger?—Nothing for the vote.

1319. What did you expect anything for?—I had been working for them.

1320. Did you send any bill in?—No.

1321. You sent no bill for your work in?—No.

1322. Then you were employed, were you, for the election?—They asked me the same as they might have asked anyone else.

1323. And put you on?—I don't know as anybody put me on.

1324. You got 15 *l.* for canvassing, although you put yourself on to do it. Didn't you get money from Shackleton before the poll?—Yes, I got money from him several times.

1325. What to do, to treat the voters?—They didn't tell me what I was to do with it.

1326. You were to do what you liked with it?—I was to do what I liked with it.

1327. Did

1327. Did you as a generous fellow give drink to voters at the "Joiners' Arms"?—I gave drink both to voters and others.

1328. All for the good of the cause?—As far as I knew.

Cross-examined by Mr. Serjeant *Ballantine*.

1329. What did you mean by the term Schneider's carriage; did you mean a hired carriage?—I mean a carriage with four gray horses in.

1330. Was it a hired one?—I thought it was his own. *J. Edmondson.* 20 April 1866.

1331. Where was it?—Down at Morecambe.

1332. By the *Committee.*] When you talk of a split vote, you mean a split vote between one of the Liberal candidates and the other candidates?—Between Mr. Lawrence and one of the Liberals.

1333. Mr. *Cooke.*] You must not give a vote to Lawrence, you must give one to Fenwick and another to Schneider, they would give nothing otherwise?—That's what it is, Fenwick and Schneider, not the other.

Simeon Hardy Swaine.

Before being sworn the Witness objected to give evidence until he was informed as to whom he should look to for his expenses. After some discussion the Chairman decided that, as the Witness had received his expenses up to London, he must be sworn. *S.H.Swaine.*

The Witness was sworn. Examined by Mr. *Cooke*.

1334. You keep the "Queen's Hotel" at Morecombe?—Yes.

1335. Do you know a man named Richard Shackleton?—I know Mr. Shackleton; I don't know his Christian name.

1336. You don't know whether the Shackleton I speak about is Richard Shackleton?—I do not.

1337. Did he give you authority, with reference to supplying drink, at the last election?—Yes.

1338. What authority did he give you?—Whatever I filled by his orders he would pay me.

1339. What orders did you fill up?—Any person he brought in.

1340. Did he bring in people and did you fill for them?—Many a score.

1341. Did you make out a bill afterwards?—To him I did.

1342. To whom?—To Mr. Shackleton.

1343. Did you know from him what candidates he was interested for?—I had nothing at all to do with the candidates.

1344. Did you learn from Mr. Shackleton that he was acting for Fenwick and Schneider?—He never spoke to me as to whom he was acting for.

1345. Have you your books?—No, I had nothing but a slate and chalk.

1346. You were ordered to bring them?—I could not bring what was destroyed.

1347. Did you not make it out to Fenwick and Schneider?—Not to my knowledge.

1348. Will you swear that you did not?—Not to my knowledge; I will not swear either way, but I do not positively know that ever I named Fenwick and Schneider on paper.

1349. Were these voters he brought with him?—Not that I know of.

1350. Do you mean to swear before these Honourable Members that you do not know the parties that Shackleton brought to your house were voters?—I know one or two in Morecambe, and those are all the voters I know.

1351. Where those voters?—They were voters; they were freemen.

1352. Did Shackleton pay your bill?—Yes.

1353. How much was it?—I do not know, he paid me two bills.

1354. Let us have one at a time; what was the amount of one bill?—Upwards of 20 *l.*

1355. And the other?—Something in the teens of pounds; I cannot say exactly.

1356. Your house is the "Queen's Hotel," at Morecombe?—It is.

1357. Did Messrs. Fenwick and Schneider come to your hotel?—They came and spoke in the front.

1358. From out of one of the windows?—No, from off a platform.

1359. What was it, a dog-kennel or a horse block?—It was a floor we had, and we put it on some barrels.

1360. You made a sort of hustings; who paid for the hustings?—Mr. Stewartson, in Lancaster.

1361. Who are the freemen that you know that came to your house with Shackleton?—Well, there was one they called Wapp, I believe his name is Armisted.

1362. One you saw outside to day?—No.

1363. There are 14 or 15 Armisteds?—I only know one; he goes by the name of Wapp; he is the one that came to my house.

1364. Is he called Wapp Armisted?—No, that is a nickname; I do not know his proper name.

1365. Have you not seen any of the voters here in London that came to your house; I mean with Mr. Shackleton?—Yes; I do not know who are the voters in Morecambe. I only know one or two; I was nearly a stranger at the time the election took place, and I had only been there a month or two.

1366. Mr. *Giffard.*] I do not ask this witness any question.

Examined by the *Committee*.

1367. How much were your three bills altogether?—I had not three. Oh, yes; you mean the bill for the hustings.

1368. How much altogether?—It was something over 20 *s.* for the horses that came, and the hustings that were fixed.

1369. I thought you said 20 *l.*?—That was the first bill. Mr. Shackleton paid me for liquors.

[Adjourned till To-morrow, at 11 o'clock.

Saturday, 21 *April* 1866.

EDWARD HOWES, Esq., Chairman.

The names of the Members were called over.—All present.

JOSEPH SLY was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:—

Joseph Sly.
21 April 1866.

1370. Is your father the landlord of the King's Arms Hotel, Lancaster?—Yes.

1371. Do you yourself remember the night following the nomination of the candidates for that borough last year?—Yes.

1372. Did you see Dr. Carruthers that night?—Yes.

1373. At the "King's Arms"?—Yes.

1374. What o'clock?—Between twelve and one.

1375. Did he make some inquiry of you?—Yes.

1376. What inquiry did he make of you?—He asked if Mr. Schneider was in the house.

1377. Was Mr. Schneider in the house?—No.

1378. Did you give him any directions where to find Mr. Schneider?—I said, probably at the Vicarage.

1379. I believe the vicar is the father-in-law of Mr. Schneider?—Yes.

1380. Having given Dr. Carruthers that information, did the doctor leave you?—Yes, I never saw anything more of him.

1381. Did you notice in what direction he went?—No.

1382. I believe you did not see him again that night?—No.

[The Witness withdrew.

JOSEPH CARRUTHERS, Esq., was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:—

Joseph Carruthers, Esq.

1383. You are a medical practitioner, I am told, now residing in the Isle of Portland?—I am.

1384. Were you in June or July last residing at Morecambe Bay?—I was.

1385. How long have you been a resident in that part?—Nearly three years.

1386. Did you interest yourself at the last election on the part of the sitting members, Mr. Schneider and Mr. Fenwick?—Slightly so.

1387. Do you know a public-house called the "Joiners' Arms"?—I do.

1388. Were you at that public-house on the afternoon of the nomination day?—I believe I was there between five and six.

1389. In the afternoon?—In the afternoon.

1390. Were you later in the evening there?—Yes, I was.

1391. I may tell you that we have had other witnesses examined on this point?—It is quite right, sir.

1392. When did you arrive in London?—Do you mean the first time?

1393. No, for this inquiry?—Some time during the night.

1394. By the *Committee.*] This night?—Yes, last night.

1395. Mr. *Cooke.*] To prevent confusion, I will ask you what time did you arrive in London?—About three o'clock, I think.

1396. As you have not reported yourself to my client, Mr. Clarke, may I ask whether you have reported your arrival to anybody concerned in this inquiry, or have seen anybody concerning this inquiry this morning?—I have seen Mr. Clarke.

1397. Just outside the door?—Yes.

1398. But before, you saw Mr. Clarke?—No, I did not.

1399. You have not seen anybody?—No; I beg your pardon; do I understand you rightly? Seen anybody, of course I have seen a great many, but who are you alluding to?

1400. I mean persons connected with this inquiry on behalf of Messrs. Schneider and Fenwick; that does not require thinking about?—Yes, it does; I have seen a great many.

1401. You have seen a great many connected with Messrs. Schneider and Fenwick?—I do not know how many I have seen, but if you will give me time, I will give you an answer. I have seen Mr. Stanley. I believe that is all.

1402. You have seen a great many. I give you time to recollect, and now you tell me you have seen Mr. Stanley, that is all. Is that the answer I am to understand you have given; is that the only person connected with Lancaster that you have seen since your arrival in London?—No, it is not.

1403. Then just have the goodness to give us it?—I beg your pardon.

1404. Do you mean to represent that you do not understand my question?—I do mean to say so.

1405. Then my question is this, I will trouble you to tell me the names of the parties connected with Messrs. Schneider and Fenwick, whom you have seen this morning?—I have seen Mrs. Willesey, and I have seen Mr. Clarke and his son.

1406. You have seen Mr. Clarke here outside?—Yes.

1407. You know that he is against Messrs. Schneider and Fenwick, not for them?—

Mr. Serjeant *Ballantine.*] You asked as to anybody connected with Lancaster.

Witness.] I have answered to the best of my ability.

1408. Do you mean to swear that you have not seen any person connected with Messrs. Schneider and Fenwick this morning, except Mrs. Willesey, whose name you have given, or spoken to them?—To the best of my ability, I have not.

1409. Are the Committee to understand that you mean to swear you have not, or that you have done so and forgotten it?—No, I do not mean them to understand that I have done so and forgotten it. I mean to say, to the best of my ability, I have not seen anyone else.

1410. No person to converse with on the subject of this petition but Mrs. Willesey?—None, to the best of my ability.

1411. What do you mean by the best of your ability?—I do not remember any; not one.

1412. By the *Committee.*] The question is very simple. Have you seen anyone connected with Messrs. Fenwick and Schneider this morning, since your arrival in London?—I have told the gentleman that I have not. I should have thought that one answer was quite sufficient, if he understands English.

1413. You rather qualified it by saying to the best of your ability?—I told him I did not. He put it again, and then I told him to the best of my ability. I did not a second time.

1414. Mr. *Cooke.*] Have you conversed with Charles Blades?—No, I have not.

1415. Where have you been this morning before you came here?—Where have I been?

1416. You need not repeat the question, you can answer it?—I have been in the Strand, and I have been on Hungerford Bridge, and on the boat, and on Westminster Bridge, and I have been in the Houses of Parliament before.

1417. Have you seen Jacob Stanley this morning?—I have; I told you so.

1418. Was anybody in his company when you saw him?—I saw two gentlemen; who they were I do not know.

1419. Did you converse with them?—I did.

1420. On the subject of this petition?—I asked them this.—

1421. Did you converse with them on the subject of this petition?—

Mr. Serjeant *Ballantine.*] He is going to tell us.

I asked him how he was baiting his hook for the deep fishing line.

1422. You asked one of these gentlemen?—Yes.

1423. What is his name?—I do not know.

1424. You said that to a man you did not know, "How are you baiting your hook for the deep fishing line"?—I did.

1425. That is one of the men with Jacob Stanley?—No, he was not with Jacob Stanley; he was near Jacob Stanley, standing in front of him.

1426. I am asking you in regard to two persons you conversed with in company with Jacob Stanley, whom you said that you did not know?—I did not know them.

1427. Did you see Hadfield there with Jacob Stanley?—I do not know Hadfield when I see him by name.

1428. I will show you him if he is in the room; there is Hadfield—(*pointing to Mr. Hadfield*)—did you see him this morning?—I might see him.

1429. Was that the man whom you spoke to about the deep fishing line?—No.

1430. Did you see him this morning?—I might, or I might not.

1431. Upon your oath; did you see him this morning or not?—I cannot swear that I have.

1432. Will you swear you have not?—No, I will not; because I have met so many parties.

1433. No, no, spoken to him?—No, I have not.

1434. Nor he to you?—Nor he to me.

1435. Did anybody in his presence speak to you this morning?—I am sure I could not tell you that.

1436. No, but converse with you in Hadfield's presence and hearing?—No; not to my knowledge.

1437. What do you mean by not to your knowledge?—I never saw anyone, or conversed with them.

1438. I do not ask you that; I ask you whether he conversed with you in Hadfield's presence?—No; he did not.

1439. Will you swear that?—I will swear it, and do swear it.

1440. What time in the evening did you get to the "Joiners' Arms" on the night of the nomination?—Between five and six o'clock.

1441. How long did you stay there when you got there at five or six o'clock; up to what hour did you remain there?—I might remain there, possibly, about half an hour.

1442. No doubt; and possibly a longer period; are the Committee to understand that you mean to swear you left in half an hour?—Certainly.

1443. When did you go to the house again that evening?—After I had got my tea.

1444. I do not know when that was, you know?—Soon after I had left the "Joiners' Arms."

1445. Did you get your tea, and then went back to the "Joiners' Arms" again, is that it?—I fancy about, to the best of my recollection, something like three hours would elapse between the time of my leaving and the time of my return.

1446. Then we will take it at eight or nine o'clock; how long did you remain at the "Joiners' Arms" before you left?—I should remain, possibly, a quarter of an hour or 20 minutes.

1447. Where did you then go?—I went home.

1448. When did you come back again?—I came back about 10 or 11.

1449. How long did you then remain at the "Joiners' Arms" before leaving it?—About an hour.

1450. Did you then walk along the railway line to Lancaster?—I did.

1451. With how many other men?—Two, I think, went on with me to Lancaster.

1452. What are their names?—John Edmondson and Peter Moore.

1453. Where had you found Peter Moore; at the "Joiners' Arms"?—I either met him at the "Joiners' Arms," or just outside the door.

1454. What is he?—He is the landlord, I believe, of an hotel in Lancaster.

1455. What is the name of the hotel?—I do not know whether it is the "Horse Shoe" or the "Bear and Staff;" it is the "Horse Shoe," I think.

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1456. Is it not the "White Lion"?—Yes, it is.

1457. Then you walked with these men along the railway line to Lancaster?—I did.

1458. What was the object of your going at that time of night to Lancaster?—Several men were engaged as messengers, and they had been promised to be paid the night before the election.

1459. They were promised to be paid the night before the election as messengers?—Yes.

1460. What had you to do with payment of the men as messengers; what had you, as a medical man at Morecombe, to do with paying the men at Morecombe Bay?—I do not know that I had anything particular on it.

1461. Were you employed as an agent, or as a committee man?—No, I was not.

1462. You say that several men there employed as messengers wanted their money?—They did.

1463. And they were promised to be paid, when?—They were promised to be paid their wages up to the night previous to the election.

1464. Were those the men that were in the public-house at the "Joiners' Arms" when you left that public?—I believe they were.

1465. You went, you know, at midnight along the line to Lancaster, do you not know who the men were whose wages you had to pay?—I know some of them, of course.

1466. Who requested you to go to Lancaster, if anybody?—No one.

1467. Then who made the arrangements you went to carry out of paying the men?—No one, except myself.

1468. You had made the arrangement with these men that they were to be paid that night?—I had.

1469. When?—I beg your pardon.

1470. When had you made this arrangement?—I never made any arrangement with them.

1471. I thought you said you had done it? (*The previous questions and answers were read by the shorthand writer*)—Certainly; that is correct.

1472. When did you make that arrangement with these men that they were to be paid the night before the election?—I never made any arrangement with them; they said they had done work; they had been promised so much a day for working expenses, and they had not been paid.

1473. Will you first of all reconcile, if you can, those two answers; nobody made the arrangement but yourself, and that you made no arrangement at all?—The arrangement? That is, the arrangement to go to Lancaster.

1474. No, no; you are an educated man, do not let us have any mistake of this sort. You have sworn that there was an arrangement made that these men were to be paid their wages the night before the election?—Certainly.

1475. I ask you who made that arrangement for the payment of the wages the night before the election?—I cannot say; it seemed to be a general understood fact that they were.

1476. Where did you learn the general understood fact from?—From the men who were there.

1477. In the public; in the "Joiners' Arms"?—Certainly.

1478. That they would be paid before they voted?—No; they complained that they had not been paid for work done at so much per head.

1479. Did they complain to you that they had been promised money which had not been paid them?—No, they did not.

1480. What was it; did they not want money to be paid that night?—They said they had been engaged at so much per day, and they had not received their wages for it.

1481. Did they tell you who engaged them at so much per day?—No, I do not know that they did.

1482. Upon your oath, did they not tell you who had engaged them?—They did not, to the best of my knowledge.

1483. Do you want these five Honourable Members to believe that you, a medical man, walking upon the railway to Lancaster in the night, to carry out an arrangement, without knowing who had made it?—I knew that it would make parties dissatisfied with the members who were putting up.

1484. You knew it would make parties dissatisfied with the members who were putting up?—Certainly.

1485. Did you, or did you not, know that they were voters?—I knew some of them were voters.

1486. Tell me any one that complained to you that there had been an arrangement made that he was to be paid that night, and who you were afraid would be dissatisfied with the members if he was not paid?—I cannot specify any man in particular.

1487. Give me one, never mind in particular, give me any of the men; you lived there three years; give me the name of any one man who complained to you, that we may send for him?—I cannot specify any one in particular; I heard several of them complain that they had been promised wages, that they had been engaged at so much a day, and that they had not been paid their wages.

1488. Was this a general complaint on the part of the men in the "Joiners' Arms" that night?—It was.

1489. Was this general complaint going on through the hour or hour and a half previous to your starting?—I was not in the room all the time, but during the time that I was in the room——

Mr. Serjeant *Ballantine* objected to the course of examination, inasmuch as the Witness's name did not appear in the list of bribers or of persons bribed, and that the Petitioners were not entitled to go into this class of evidence.

Mr. *Karslake* was heard in support of the course of examination.

Mr. Serjeant *Ballantine* was heard in reply.

The room was cleared, and the Committee deliberated.

Counsel and parties having been re-admitted,

The *Chairman* stated that the Committee were of opinion that the evidence proposed could be gone into.

1490. Mr. *Cooke*.] You walked to Lancaster; on your arrival at Lancaster with those two men, where did you first go to, I mean the first place?—I went to Mr. Sly's.

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1491. That is the "King's Arms Hotel?"—Yes.

1492. Had you at that time parted with your companions?—I believe I had.

1493. Where did you part with them?—I could not swear, but I believe I parted with them at the bottom of the New-road.

1494. Is that just outside the town?—Yes.

1495. Did you then part with any agreement where to meet again?—I do not recollect doing so.

1496. Come, you know you went back with one man after Edmondson; did you, or did you not, separate with an understanding where you were to meet again?—I do not recollect having any such understanding.

1497. Did you expect to meet Edmondson again, to return?—I did.

1498. Where were you to meet him in the middle of the night?—I expected to meet him in Market-street.

1499. Where in Market-street?—No place in particular; I went up and down Market-street with the expectation of meeting him.

1500. Then you parted with him in the expectation of seeing him in Market-street, without anything being said to that effect?—Yes, I believe so.

1501. Was the "Queen's" mentioned as a place to meet at?—I am not aware that it was.

1502. Is that in Market-street?—It is.

1503. Was that a committee-room of Fenwick and Schneider?—It was.

1504. Were you in the "Queen's" that night?—I was.

1505. It was open?—It was.

1506. What did you go to the "King's Arms Hotel" for?—I wanted to see Mr. Fenwick's and Schneider's committee.

1507. Was the "King's Arms Hotel" one of their committee-rooms, one of the places for their committee?—I did not know whether it was at the time.

1508. It turned out it was not?—It turned out it was not.

1509. What inquiry did you make at the committee rooms: who did you see at the "King's Arms"?—I believe the first person I saw was Mr. Wilson.

1510. Mr. Wilson at Liverpool?—Yes.

1511. Of whom did you make any inquiries?—I am not quite sure, but I am of opinion that I met his son after seeing Mr. Wilson.

1512. The young man you saw here this morning?—Yes.

1513. You made an inquiry of him; for whom did you make that inquiry?—I believe I asked where the committee was; which was the committee room.

1514. Now, I am very sorry to put anything to you in what appears to me, according to my learned friend, an offensive way, did you not ask that young man where you could find Mr. Schneider?—I will answer it to the best of my ability. I will not swear that I did anything of the sort.

1515. Answer the question: did not you ask that young man, "Where can I find Mr. Schneider"?—Gentlemen, I could not say that I did do so. I am of opinion that I asked if Mr. Fenwick and Mr. Schneider's committee-room was there.

1516. Upon your oath, did you not ask young Mr. Sly where you could find Mr. Schneider?—Upon my oath, I am of the opinion that I did not.

1517. Did not young Sly tell you he supposed at the Vicarage?—I am not aware that he did.

1518. Will you swear he did not?—I will not swear that he did not, because the time is so long elapsed since.

1519. Did you go to the Vicarage?—I did not.

1520. Where did you go to when you left the "King's Arms"?—I went to the "Queen's Hotel."

1521. Did you find the committee-room of Fenwick and Schneider there?—I did.

1522. Did you go into the room?—I did.

1523. With whom did you speak there?—I saw Mr. Welsh and Mr. Blades.

1524. Is that Henry Welsh?—I believe his name is Henry, and Mr. Blades.

1525. Mr. Blades the builder?—Yes.

1526. Is that Mr. Welsh of Cheapside in Lancaster?—Yes.

1527. Were those the only two persons in the room at the time?—I think they were.

1528. Now, Dr. Carruthers, you are not like those poor men we had yesterday; you are an educated man?—I am telling you to the best of my belief.

1529. Do you mean to represent to the Honourable Members that those were the only two persons in the room?—I swear there was no other person in, except Mr. Blades and Mr. Welsh.

1530. Where was the room that you found Mr. Welsh and Mr. Blades in, the first floor, the second floor, or where?—I could not say which floor; it was a house I have been into very little.

1531. Upstairs or downstairs?—Upstairs.

1532. Did you see Mr. Fenwick that night?—You ask me about Mr. Fenwick; may I ask after what time?

1533. No; my question is, did you see Mr. Fenwick that night?—I did not.

1534. When you were in Lancaster?—I did not.

1535. What was the reason you asked me to tell you what time; what do you mean by asking me that question?—I consider that I have a right to ask that question.

1536. For what object, if you did not see him at all?—Is it necessary for me to explain it?

1537. Did you see him after twelve o'clock, namely, the morning, if you like, of the poll; do you mean to turn me round about the night; I am calling it night until daylight; did you see him after twelve o'clock at night; between that and the daylight?—No; I did not.

1538. When did you see him, then, that you asked me about that night?—Because you had been so particular about the English language. When I gave you an answer "No," you did not understand it.

1539. Did you see him from the time you went to Lancaster, on the night of the nomination, till you left Lancaster with the flies?—No; I did not.

1540. Did you see Mr. Schneider?—I did not.

1541. To whom did you make the communication that the men wanted money?—To Mr. Blades and Mr. Welsh.

1542. After making that communication to Blades and Welsh, where did you next go?—I went home; I went down Market-street. I beg your pardon.

1543. Where to?—I went to the "White Lion," I believe.

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1544. Who keeps the "White Lion"?—Peter Moore.

1545. What made you go to Peter Moore's to the "White Lion"?—I had walked up and down Market-street, with the expectation of meeting Edmondson to walk back to Morecombe with him.

1546. Do you mean that you went to Peter Moore's without any direction of any person, and merely of your own accord?—I do not recollect anyone directing me.

1547. You merely went of you own accord to Peter Moore's, at the "White Lion"?—I went of my own accord to Peter Moore's, at the "White Lion," with the expectation of possibly meeting Edmondson there, not having found him in Market-street.

1548. Do you swear it?—Yes; I do to the best of my belief. I will not swear that I did.

1549. What answer did you get from Welsh or Blades when you told them you wanted him to make these discontented people satisfied?—He told me that if they wanted their wages they should have it.

1550. Who said that?—I could not say which.

1551. One of them said, if they wanted their wages they should have it?—Yes.

1552. Did they tell you whether they would send it?—I do not know that they said that.

1553. Now, take care, because I am coming to a very important point for you to explain now?—I am taking care.

1554. Upon your oath, did not he say, "Very well, then, we will send it?"—I do not know that he did so.

1555. Will you swear that he did not?—I will not swear he did not.

1556. Did he tell you he would send a person with the money?—I am not aware that he said he would send a person with the money.

1557. When you got to Peter Moore's, was there a fly waiting, with a man in it, into which you got?—No; there was not.

1558. Did you get into a fly at Peter Moore's?—I did.

1559. Where a man was in already?—No; I think there was no man.

1560. Did you enter first?—I believe I did.

1561. Who went in the fly with you?—John Edmondson.

1562. Who else?—That was all.

1563. Do you mean to swear to the Committee that you and John Edmondson went alone in that fly?—To the best of my ability I do swear that I went alone with John Edmondson.

1564. From Lancaster to Morecombe?—Yes.

1565. Was not Christopher Hartley with you?—I think Christopher Hartley left me at Lancaster.

1566. Did not Christopher Hartley ride in that fly with you and Edmondson to Morecombe Bay?—I cannot say that he did.

1567. Will you swear he did not?—No; I will not.

1568. Will you swear there was not a fourth man in that fly?—I will.

1569. And that you did not go, four of you, in that fly to Lancaster—a man they call Jenkins?—We went to Lancaster.

1570. No, no—to Morecombe—the man named Jenkins?—I will swear so.

1571. Did you see the man they call Jenkins afterwards at the "Joiners' Arms"?—I never heard of such a man before.

1572. Did you hear of the stranger at the "Joiners' Arms" upstairs in the room?—Yes; I did; at least, I saw him I believe.

1573. When did you see him first?—I saw him in the morning.

1574. What time in the morning?—Early in the morning.

1575. How soon after you got back to the "Joiners' Arms" from Lancaster?—I think when I got back from the "Joiners' Arms." I got out of the cab opposite the "Joiners' Arms," and I went home.

1576. Will you swear that you did not go into the "Joiners' Arms" when you arrived at Morecombe?—I believe I never went there after coming back.

1577. I am asking because I know what has been proved by other witnesses. Will you swear you did not go in?—I will swear to the best of my belief I did not. I went home, to the best of my belief; I went to bed, and I stopped in bed till between seven and eight in the morning.

1578. When did you first see the stranger there?—I saw him, I should say, it would be half-past 8 or 9 o'clock.

1579. Where?—At the "Joiners' Arms."

1580. Whereabouts; the "Joiners' Arms" has many places; upstairs or downstairs?—I saw him upstairs.

1581. In a room?—In a room.

1582. A front room?—I believe it was a front room.

1583. By himself, or with anybody?—I saw him with Daniel Edmondson, I believe.

1584. The landlord?—The landlord.

1585. In this room upstairs?—Yes.

1586. Did not you apply to Daniel Edmondson to let him have a room upstairs?—No, I did not.

1587. Will you swear that?—I do swear it.

1588. Did you see him pay money to anybody; "that stranger"?—I saw him pay money to one.

1589. What is the man's name?—Daniel Edmondson.

1590. How much did you see paid Daniel Edmondson?—I could not say how much.

1591. You can give the Committee no notion of what the amount was?—It might be 5*l.* or 6*l.*, or it might be 7*l.* or 8*l.*, it might be 10*l.*, I could not say; I saw him paying some money.

1592. How long were you in the room with that stranger?—I could not say; perhaps 10 minutes.

1593. What had you to do with him; what brought you in the room with him?—I do not know that I had anything in particular.

1594. What had you to go into that room for between seven and eight in the morning?—It was not between seven and eight.

1595. When was it?—Between eight and nine.

1596. Was not the house at the time full of the Morecombe Bay freemen?—I cannot say that it was full.

1597. Were they going upstairs and down again to this man?—I do not know that they were going upstairs and down, because when I went they were all in one room.

1598. In what room?—They were sitting in the room upstairs.

1599. Called the club room?—I believe it is.

1600. Is that the room next adjoining where the stranger was sitting?—I am not quite sure whether it is the next room, it is a room on the same landing.

1601. Can you tell us his name, the man you went

went into without any business, and stopped 10 minutes with?—No, I could not.

1602. Did you make any inquiry whether he had come from Mr. Welsh or Mr. Blades, with whom you had been in Lancaster talking?—I do not know that. I came to the conclusion naturally that he had.

1603. Did you find out that he had come to satisfy the discontented voters?—I took it for granted that it was so.

1604. From what you saw, or heard?—Yes.

1605. Have you ever seen that man since?—I met him once since.

1606. Where?—Upon my word I could not say. It was either in Morecombe Bay or Lancaster.

1607. Was that Mr. Hadfield; that man (*pointing to Mr. Hadfield*)?—Which gentleman are you pointing to?

1608. You know Hadfield as well as I do?—I do not.

1609. You do not know Mr. Hadfield?—I do not.

1610. Is not that the man you saw at Morecombe?—His whiskers are a little longer if it is; I will not swear to him.

1611. You do not like to swear that that is not the man?—No, I believe he is the man.

Chairman.] What do you mean when you say that Hadfield is the man?—

Mr. *Cooke.*] The man in the room; the stranger; Jenkins.

1612-13. Is he the man; it is not the first time you have said so; is it that Hadfield is the man?—I never made use of Hadfield's name before in my life, before I came here.

1614. Did you not meet him after the election at Morecombe Bay; Hadfield, the man who is here?—I met him either at Morecombe Bay or Lancaster, I will not swear which.

1615. Has it occurred to you he was the man you had seen in the room and talked to?—Yes.

1616. When you saw him after the election, either at Morecombe Bay or Lancaster, you accosted him as the person?—No, I did not accost him; if you will excuse me, I did not accost him.

1617. Did you not express a belief that he was the man that you had conversed with in the room?—I did not. There were two gentlemen on the deep sea fishing line, and he said, "You know this gentleman," and I said, "No, I do not." "Yes," he said, "you have met him before." I said, "Very likely I may; but I am sure I did not know him."

1618. Is it now your belief?—I told you so.

1619. Right or wrong, it is your belief?—I believe he is the man, I cannot say more than that.

1620. Did you hear him called by any name?—I did not.

1621. Not even Jenkins?—No, I did not.

1622. Now, I must just revert again to this: John Edmondson you found at Peter Moore's?—Yes.

1623. Did you find the fly standing at Peter Moore's door, or did you call one up?—Now that you have named it again, I remember where I got into the fly; I did not get in at the door at all.

1624. I am going by what John Edmondson has told us?—I did not get in at the door.

1625. Where did you get in?—In Nicholas-street, a small yard in Nicholas-street.

1626. That is Peter Moore's yard?—It is.

1627. Was there anybody in that fly when you got into it?—There was not, I was the first to get in.

1628. I am very anxious to reconcile your evidence with what we have heard if I can; I am going to give you every opportunity. We have had John Edmondson examined, and I am now questioning you on what John Edmondson has sworn. John Edmondson says there were four persons in that fly, the one was that stranger that was afterwards in the room; are you prepared to swear that that is not so?—I am.

1629. There was not a fourth person in the fly?—To the best of my belief there was not.

1630. But an educated man, like you, travelling at midnight in a fly from Lancaster, cannot have forgotten it?—There was not.

1631. Did he ride inside?—No, he did not.

1632. Did he go in another fly to your knowledge?—I do not know how he came; he was there when I went in the morning, and how he went I do not know.

1633. We have had it also said that you and that stranger——

Mr. *Giffard* desired to take the opinion of the Committee whether the evidence of a previous Witness could be referred to.

The *Chairman* stated that the Committee were of opinion that it could.

1634. Mr. *Cooke.*] Now, you said that you had seen Mrs. Wellisey here; I think I understood you to say that in your early examination; is that so?—Yes, I have.

1635. She is the person you have mentioned before?—Yes, I have known her, and attended her family.

1636. Did you not tell Mrs. Wellisey that you had been down to the Vicarage on the occasion of your visit to Lancaster, and seen Mr. Schneider?—I did not.

1637. Did you state it in her presence, whether you said it to her or not, I do not know; have you said it at any time to anybody?—Said what?

1638. That you, on the occasion of your visit to Lancaster, went to the Vicarage and found Mr. Schneider, and asked him for money for the Morecombe voters?—I never did.

1639. Did you say, first of all, that you had been to the Vicarage?—Never.

1640. Did you say you had seen Mr. Schneider?—Never.

1641. Do you mean us to understand that you saw no person during that visit to Lancaster, do not talk about night and morning, except Welsh and Blades?—I saw Mr. Welsh, and I saw Mr. Blades, and I saw the attendant on the ball in the "Queen's."

1642. That is the waiter, the servant?—Yes, the servant; I saw Peter Moore, and I saw John Edmondson, and I saw a girl at Peter Moore's.

1643. As you went up to Lancaster to get some money to quiet these men when you got back to Morecombe, did you communicate what you had done to anybody to pacify them?—I told them their wages would be paid.

1644. Where did you say those words, "Your wages will be paid;" in what room?—I said it in no room.

1645. Where

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1645. Where?—Directly the cab came up to the door, the men came to the door.

1646. Directly the cab drove up to the door; that would be of the "Joiners' Arms"?—Yes.

1647. The men came out?—Yes, some of them.

1648. And you then said, "Your wages will be paid," or the money will be sent?—I believe the words I said were, "Your wages will be paid."

1649. At that time the stranger you saw was not there?—He was not.

1650. Did anybody ask you how you were to get them, or when?—I cannot say; I did not stay only a minute or two.

1651. Did you communicate to anybody that a person was coming down to pay them?—I am sure I could not say that I said anyone was coming down.

1652. Were you not told by Blades or Welsh that a man should come with the money?—I think there would be about two or three come to the door, the number I cannot say; but to the best of my belief two or three came to the door when the cab came, and I said, "Now, you had better be quiet, your wages will be paid."

1653. Did you tell them that a man was to be sent with the money, as Welsh or Blades had told you?—I did not say so.

1654. Not to anybody?—I did not.

1655. Did you say when the wages were to be paid?—I said they will be paid early in the morning.

1656. And I think you said they had better wait patiently, and they would be paid in the morning. If I understand you, when you saw this man whom you believed to be Hadfield in the room upstairs, you guessed at once he was the person who agreed to do it?—I did not see him till several hours afterwards.

1657. When you did see him he was the Simon Pure that you understood was to come?—Well, he might be the Simon Pure.

1658. Did you know he was called Jenkins there?—I did not.

Mr. *Giffard* proposed that Mr. Hadfield should be brought forward, in order that the Witness might identify him; Mr. Hadfield came forward.

1659. Mr. *Giffard* to the *Witness.*] What do you say?—I believe he is the man.

1660. You still believe he is the man?—Yes.

[The Witness withdrew.

THOMAS BENISON was called in; and, having been sworn, was Examined by Mr. *Karslake*, as follows:

T. Benison.

1661. Do you live at Poulton-on-the-Sands?—Yes.

1662. And you are a voter for Lancaster?—Yes.

1663. At the last election were you canvassed for Mr. Lawrence?—Yes; and I promised him one.

1664. You promised one to him; and when was that?—I promised him one the night before the polling day.

1665. And you went to bed upon that promise?—Yes.

1666. The next day, on the polling day, did you get to the house of Robert Hodgson?—Yes.

1667. Where does he live?—China-lane.

1668. How came you to go there?—Because he took me there in a conveyance.

1669. While you were there did anybody come into the house?—Oh, yes.

1670. Do you know a man called Robert Stackhouse?—I did not see him; not in that house.

1671. What house did you see him in?—I see'd him in Old Sir Simon's, in the market place.

1672. You had known him before?—Oh, yes; I had known him from a child.

1673. Did he take you anywhere; do you know the "Queen's Hotel"?—No, I don't.

1674. Where did you see Stackhouse?—Oh, I see'd him in the street and in Old Sir Simon's.

1675. Did he go anywhere with you, or did you go anywhere with him?—Not to get naught to drink.

1676. Well, but to get anything else?—Yes.

1677. What did you get when you went with him?—I got 10 *l.*; that is what I got.

1678. Well, I should think that is as good as something to drink; you got 10 *l.*?—Yes.

1679. Where did Robert Stackhouse give you 10 *l.*?—Out in the street.

1680. You are sure Stackhouse gave it you?—Yes.

1681. What was it; sovereigns?—Yes.

1682. What did he give you 10 *l.* for?—What did he give it me for?

1683. Yes; what did he give it you for?—For voting.

1684. Who had you to vote for for the 10 *l.*?—I come off with the intention of voting for Mr. Lawrence and Mr. Schneider, when we got to Robert Hodgson's he would not have me if I voted for one; he said I must plump or naught, and I didn't feel inclined to do that.

1685. Did you plump?—No; I voted for Fenwick and Schneider.

1686. How soon after you got the 10 *l.* did you vote for Fenwick and Schneider?—I voted before I got it.

1687. Who went with you to the poll?—I went in a cab-thing.

1688. How long was it after you voted that you got the 10 *l.*?—Oh, I don't know; I got it that day.

1689. Did Stackhouse go with you in a cab sort of thing?—No.

1690. Who did?—I don't know that anyone did.

1691. Are you quite sure?—No; I won't be sure.

1692. Who do you think went with you?—I really cannot tell.

1693. How long before you went to vote had you seen Robert Stackhouse?—Oh, I see'd him on the forenoon.

1694. What time did you vote?—At 11 o'clock.

1695. Did you see Stackhouse before you voted?—Yes.

1696. Had you gone to the "Black Cat" together?

gether?—No; I never was in the "Black Cat" in my life.

1697. Mr. Lawrence did not get the advantage of your vote, then; but Messrs. Fenwick and Schneider got it?—They would not have me for Lawrence.

1698. They would not have you if you gave one for Lawrence and one for Fenwick?—No. *T. Benison.*

1699. And the others would?—Ay, and fain on't. 21 April 1866.

[The Witness withdrew.

WILLIAM SHARPLES was called in; and, having been sworn, was Examined by Mr. *O'Hara*, as follows:

1700. You are a shoemaker, I believe?—Yes. *W. Sharples.*

1701. Living at Galgate?—Yes.

1702. You are a freeman of Lancaster?—Yes.

1703. Did you vote at the last election?—Yes.

1704. Who did you vote for?—Fenwick and Schneider.

1705. Did you see anybody at Lancaster the day you voted?—Yes.

1706. Who?—I was going down a back lane and met two men, and one of them said, "Hast thou voted?" and I said, "No;" and he walked forrard, and the other man came to me, and axed me what I wanted; and I said I didn't know, nothing particular; he says, "Will a tenner do?" so I said, "Oh, yes;" so he put his hand into his pocket and gave me it; he wanted to go with me to vote, and I said, "No, I'll go myself;" but, however, he walked behind.

1707. Who were you to vote for for this tenner?—Fenwick and Schneider.

1708. Do you know who he was; this person that asked you if the tenner would do?—No, I didn't know the man.

1709. Have you seen him since?—No.

1710. He walked up behind you to the poll?—Yes.

1711. And then you voted and went away?—Yes.

[The Witness withdrew.

JOHN MASHEDER was called in; and, having been sworn, was Examined by Mr. *Karslake*, as follows:

1712. You live at Carnforth?—Yes. *J. Masheder.*

1713. Are you a freeman of Lancaster?—Yes.

1714. Who did you vote for at the last election?—For Mr. Fenwick and Mr. Schneider.

1715. On the morning of the polling day, did you see John Wilson?—No.

1716. Did you on the morning of the polling day see Joseph Wilson?—Yes.

1717. I made a mistake in saying John Wilson; you did see Joseph Wilson?—Yes.

1718. What time was it, when you saw him?—About seven o'clock in the morning.

1719. How came you to see him; did he come to you or did you go to him?—No, I saw him at the "Station Inn" at Carnforth.

1720. Did Wilson come there after you, or was he there when you went?—He was there when I went.

1721. What was he doing when you went?—I cannot say.

1722. Were there a good many other men at the inn?—No; not many.

1723. Did you know some of those that were there?—Yes.

1724. Did you have any breakfast at the inn? No; I got my breakfast before I left home.

1725. Was any breakfast going on while you were there?—I didn't see any.

1726. Well, now, did Joseph Wilson have any talk with you?—I cannot say exactly.

1727. Did he give you something?—No, nothing at all.

1728. Did you receive some money from Joseph Wilson?—No.

1729. Upon your oath?—No.

1730. Did you receive any money that morning?—No.

1731. Have you said that you received the sum of 10*l.* for voting?—No.

1732. Will you swear that?—Yes.

1733. How long were you at the inn altogether?—Well, I can't say exactly.

1734. Did you go to the inn from the polling-place?—No.

1735. Where did you go?—We came to Lancaster.

1736. Who came with you?—We came in a cab.

1737. Who came with you; Joseph Wilson?—No, he came before me.

1738. You saw him start, did you?—Yes.

1739. Did you see him on the polling-day?—No.

1740. Where was he, do you know?—Well, I can't say exactly where it was.

1741. Did you see him again that day?—No.

1742. Or the next day?—No; I have not seen him since the election.

1743. You have never seen him since that morning?—Not that I am aware of.

1744. Just attend to my question. Now we will put Joseph Wilson out of the way. Did you receive a sum of money for giving your vote?—No.

1745. Has anybody for you received it, and given you the money?—Well, I can't swear it.

1746. Don't perjure yourself if you can help it. Where did you get the money you cannot swear was for your vote?—I did not see any money at all.

1747. Then as you say you did not see any money, did you put it in your pocket without looking at it?—I did not see any.

1748. Who gave you money before or after you voted?—I did not get a halfpenny of money in no manner whatever.

1749. Did a friend of yours tell you he had received money for you?—I cannot swear it, to tell the truth, not now.

1750. Have you got some friend that you think has got a sum of money for you at the present time?—No, I cannot say.

1751. Do you think there is?—To tell the truth, I cannot say.

1752. Do you know anybody, a friend of yours or an acquaintance, who has got money

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which is coming to you by-and-bye, you think? —There has nobody received anything for me that I know of.

1753. Who is going to do then? Have you had any intimation or promise that, by-and-bye, you shall receive something?—Well, I never had nothing myself promised at all.

1754. Who was it, do you know, that had the promise made; a friend?—I cannot say.

1755. Who is it you think will get something you?—There will nobody get anything for for me that I know of at all.

1756. Are you married?—Yes.

1757. Have you had some talk with your wife about the election?—Yes; I did not put any questions to her at all.

1758. I do not suppose you did. But without putting questions to her, you have talked together. Come now, Masheder. You expect, but you do not swear, that you expect to get a sum of money for your vote, or else your wife will? —I cannot swear.

1759. I do not ask you; but do you think?—I did not receive any money at all.

1760. I ask you, do you think you are going to have a little money, or your wife, by-and-bye? —Not that I know of.

1761. You would not like to swear it?—No.

1762. I am only asking you what you think; come now, 10 *l.*—No (*shaking his head*).

1763. Do not shake your head at me. Let us have it?—I have told you I did not get any money. I am positive that I did not receive any bribe at all.

1764. When do you expect to get any money, or your wife?—I cannot say that there is any money coming to me at all.

1765. You cannot say; but what do you think about it. Do not swear, but just tell me what you think?—If there be some coming——

1766. It will be very handy, will it not? When should you say it is likely to come, if you were to express an opinion?—

Mr. *Giffard* objected to the Question.

The *Chairman* said that the Committee were of opinion that it might be put.

1767. Mr. *Karslake.*] All this is a great deal of trouble. Now tell us what you think about it?—I have told you all I can say.

1768. I want to know what you think, not what you swear. Do you know Thomas Masheder?—Yes, I know Thomas Masheder.

1769. Oddly enough it is the same name as yours. Is he a cousin of yours?—No, he is nothing related to me.

1770. Do you disown him?—There is no disowning about it.

1771. You know him, however, though he is not a relation of yours. Is he a freeman?—Yes, I believe he is.

1772. Did he vote for Schneider and Fenwick, or how did he vote?—No; I don't think he voted for Schneider.

1773. Did you have some talk with him about the election?—Well, I cannot swear that at all. It is a long time since.

1774. But you had some talk with him about it?—If I was to tell the truth, I could not say whether I did or didn't.

1775. Did you have a talk with him as to what you were likely to get, or would get, for your vote?—I cannot say there has anything passed between us in that way.

1776. Will you say there did not?—I cannot swear it, not to speak the truth. I don't want to tell anything but the truth, if I know it.

1777. You have said that more than once; but if you do not speak the whole truth, it is worse than saying nothing. When did you have any conversation with the other Masheder?—It would be the day after the election. There might be something said between us, but I cannot say what it would be.

1778. Well, I am reminding you. Did you tell him what had to be done or promised to you?—I did not say anything about promises.

1779. What you thought you might get?—I could not say there was any conversation about it.

1780. Did you tell Thomas Masheder that you got 10*l.*, or a promise of 10*l.* Take care what you say?—Well, I can't say I did.

1781. You cannot say you did not, can you? —Well, I do not want to tell nothing but the truth. I could not swear it, not to swear the truth.

1782. Let us see what you think about it. You remember there was a conversation there the day after the polling?—There is a deal of one's conversation that one cannot bear in mind.

1783. Do you believe you said to Thomas you had got, or were going to get, 10*l.* for your vote? —I could not say that.

1784. Do you swear you did not?—I can swear I said that I did not receive any money.

1785. At the same time you said that, did you say you were promised it?—I cannot swear it.

1786. What do you think about it?—I don't know.

1787. How came you to say you had not received any money to Thomas?—I don't know that I did say so.

1788. I thought you did say so?—That I received money?

1789. No; that you had not received it?—I could not say that.

1790. Did you tell him that you expected to receive 10*l.* or some other sum for your vote?—No; I should not say so to him; I could not.

1791. You could not? Why not?—Because I did not receive any money at all. I never saw any.

1792. You repeat you never "saw" any money. Did you see any rolls that looked as if they had money inside them?—No.

1793. You say you did not see any money. Did you hear anything said about money from Joseph Wilson, or anybody?—Well, there might be transactions of that sort, but I cannot bear it in mind.

1794. You are a man of business; what are you by trade?—A joiner.

1795. Well, as a man of business, you ought to recollect these things. Try and remember what was said about money. Was anything said at this inn when you were there?—It was never mentioned about money there, not that I have heard of.

1796. Where was it you did hear of it?—I never heard nothing at all about the money.

1797. I thought you said it was not much; what did you hear?—I did not say I received any money at all.

1798. I know that; what did you hear about money?—Nothing at all that I know of. I do not know of anything.

1799. Do you know you are on oath; I ask

ask you, upon your oath, did not you hear something about money from Joseph Wilson at the inn?—Never in the house; I did not hear anything myself.

1800. Outside then?—No.

1801. Did any other person tell you he had had a promise of money, at your house?—No.

1802. Or anywhere else?—No.

1803. Do you swear that?—Yes.

1804. You do?—I never heard it mentioned.

1805. You never heard what mentioned?—Money.

1806. Did you hear anything about remuneration?—Did I hear what?

1807. Remuneration, or something for your vote; not money, perhaps they do not use that coarse term in Lancashire; did you not hear that somebody would have something for voting, and you might?—I cannot say.

1808. I ask you, did you hear anything about remuneration, or something of that sort?—I did not hear anything myself.

1809. Who told you?—I never heard nothing at all mentioned.

1810. Have you said over and over again that you had a promise?—No.

1811. Did not you tell Thomas Masheder so?—I could not say that.

1812. Will you swear you did not?—I could not say I heard of any money.

1813. Will you swear that you did not receive a promise, or that you did not expect remuneration of any kind?—I cannot swear at all.

1814. Did you tell Thomas Masheder that if he went to the "Station Inn" at Carnforth he would get a sum of money if he voted right?—I did not see him at all on the election morning.

1815. Did you before the election morning?—I see him every day when I am at home.

1816. How came you to go to the inn at all at 7 o'clock; it is unusual to do so, is it not, to go so early?—I was going to ride from there to Lancaster.

1817. When did you make the arrangement to ride there from Lancaster?—I cannot say that.

1818. You do not ride to Lancaster every day, you know; who did you arrange with?—I cannot tell you, to tell the truth.

1819. Let me try to jog your memory; somebody must have told you to come there and ride to Lancaster; who was it?—Very likely it was Joseph Wilson.

1820. When did he tell you that?—I cannot say now; I do not keep suchlike things in my head; I was not thinking nothing about it.

1821. You remember going to the inn and riding to Lancaster; how came you to do it?—I walked down from home there.

1822. And then rode into Lancaster?—Yes.

1823. How far is that place from your house?—A quarter of a mile, perhaps.

1824. How came you to go down there? when had Joseph Wilson told you to come there, that morning? when had you seen Joseph Wilson before?—I cannot say; it was some time during the week.

1825. Used you to be in the habit of seeing him frequently?—No.

1826. Did you see him a little more frequently during the time of the election than before?—I only saw him once; I saw him at the inn.

1827. You said you had seen him before that?—No, I cannot remember that I did; I know he was there that morning.

J. Masheder

21 April 1866.

1828. Were you canvassed by Mr. Fenwick and Mr. Schneider?—They were at Carnforth.

1829. Did they speak to you when they were at Carnforth?—Yes.

1830. Was Joseph Wilson with them?—Well, I believe he was.

1831. How long was that before the election?—I cannot say to a day or two.

1832. Was it a week or a fortnight?—It was a few days before the election.

1833. Where did they see you a few days before the election with Joseph Wilson?—Standing in the road, close to my own door.

1834. Who else was with them?—Well, I don't know.

1835. You can remember somebody's name; who else was with them on that occasion?—Well, I cannot say, not to speak the truth, who they were; I cannot mention their names; I did not know the parties with them.

1836. None of them but Wilson?—Wilson might have been with them.

1837. You have just now sworn he was; who else was with them when you were canvassed?—I do not know the parties.

1838. Did Wilson make a speech down at Carnforth; did you hear two gentlemen who were candidates make speeches?—Of course.

1839. Did you hear Joseph Wilson make a speech; I do not know whether you would call it a speech, but did you here him say a few words to you?—(*No answer.*)

1840. Come come, Masheder, do you remember that?—Well, I don't know; I cannot say, not to speak the truth whether he did or not.

1841. Upon your oath, did Joseph Wilson make a speech in your presence?—He might do.

1842. Of course he might; did he?—I don't remember.

1843. Was he on the platform with Messrs. Fenwick and Schneider when they spoke?—I believe he was.

1844. Did they speak on the same day that they canvassed you?—Yes.

1845. How many people were present at the meeting where they spoke?—There was a great number of people there.

1846. There was a placard posted up to say they were coming down at the time; was that so?—I don't know.

Mr. *Giffard.*] I have no question to ask.

Examined by the Committee.

1847. When you met Mr. Fenwick and Mr. Schneider coming down the street, did they ask you for your vote?—Yes, they did.

1848. Did you promise it them?—I promised Mr. Fenwick.

1848.* And not for Mr. Schneider?—I did not exactly promise Mr. Schneider.

1849. You did vote for Mr. Fenwick and Mr. Schneider?—I voted for Fenwick and Schneider.

1850. What made you give your second vote to Mr. Schneider?—I had not exactly made my mind up.

1851. How long was that before the election; the day before?—A few days before; but I cannot say to a day.

[The Witness withdrew.

THOMAS MASHEDER, was called in; and having been sworn, was Examined by Mr. *Karslake*, as follows:

T. Masheder.
21 April 1866.

1852. You are a freeman of Lancaster, are you not?—Yes.

1853. You live at Carnforth?—Yes.

1854. And you voted at the last election, we hear?—Yes.

1855. Is John Masheder, who has just gone out, a freeman? do you know him?—Yes.

1856. Is he a cousin of yours?—No; I don't think we are anything to one another.

1857. You do not own a relationship with him?—No, not at all.

1858. You voted, we understand, for Lawrence?—Yes, I did.

1859. Were you at Carnforth when Fenwick and Schneider made the speeches?—I was.

1860. Did you hear them speak?—Yes.

1861. They did not convince you?—Oh no.

1862. Who else were the speakers on that occasion; was Joseph Wilson there?—Yes.

1863. And did he speak?—Yes.

1864. Did he make a good speech?—He did his best.

1865. Where was it that they spoke?—In the village.

1866. Out in the open air?—Yes; there was a place higher than the road which they got on.

1867. First, I suppose, Mr. Fenwick and Mr. Schneider had a speak, and then Joseph Wilson had a speak, to try and get you to vote for Fenwick and Schneider?—Yes.

1868. How long was that before the election?—It was only the day before.

1869. The day before the nomination was that?—Yes.

1870. You heard Joseph Wilson speak; do you remember seeing Joseph Wilson on the morning of the election?—Yes.

1871. Where did you see him?—In my own house.

1872. He paid you a visit, did he?—Yes.

1873. What time was that in the morning?—About 5 o'clock.

1874. That is a very early visit?—It was.

1875. What did he come for at 5 o'clock in the morning?—He came to try and get my vote.

1876. He came to you to canvass you for your vote?—Yes.

1877. You did not alter your views of Mr. Lawrence because of this visit?—No, sir.

1878. Had he a long talk with you about your vote?—Not so very long.

1879. He then went away?—Yes.

1880. Had he canvassed you before?—Yes, he had called before.

1881. With Fenwick and Schneider, when they were down at Carnforth?—Yes.

1882. He did?—Yes.

1883. And canvassed you?—Yes.

1884. Well, now then, on the following day, did you see John Masheder?—Yes.

1885. Where did you see him?—At Carnforth, in the morning before he went.

1886. That was at his own house, was it?—No.

1887. Where then?—In the village.

1888. I do not ask you at the present moment what he said; but did he have some conversation with you about going to some place?—Yes.

1889. What place?—The "Station Inn," at Carnforth.

1890. Did you see any others besides him just at that time?—Not particularly.

1891. Do you know the Whormbys, Richard and Thomas?—Yes.

1892. They live in Carnforth?—Yes.

The Witness was directed to withdraw whilst Mr. Karslake asked the decision of the Committee as to the lawfulness of a question which he proposed to ask.

Mr. *Karslake* was heard in support of the question he proposed to put.

Mr. *Giffard* was heard against the question being put.

The *Committee* retired to deliberate.

After an interval, the Committee returned, and

The *Chairman* stated that the Committee were of opinion that the question might be put.

Mr. *Karslake* was heard against an objection of Mr. Giffard that Thomas Masheder was not in the list of those alleged to be bribed.

Mr. *Giffard* was heard in support of his objection. After some discussion,

The *Chairman* stated that the Committee were of opinion that Mr. Karslake should confine his questions to the general question of bribery, and not to the particular case of this witness.

The Witness was recalled, and the examination resumed by Mr. Karslake.

1893. You told me just now that you saw Joseph Wilson; that he came and paid you an early visit?—Yes.

1894. That is the man who made the speech?—Yes.

1895. When he called upon you—do not tell me what he said—did he show you anything?—

Mr. *Giffard* objected to the question, on the ground that it was substantially the same as asking the witness as to his being bribed.

Mr. *Karslake* was heard against the objection, and stated that all he wished to know was whether Mr. Wilson had been seen offering money.

The *Chairman* stated that the Committee were of opinion that the general question might be put.

1896. Mr. *Karslake.*] How many sovereigns were pulled out?—

The *Chairman* stated that this question could not be put, because it went to a particular act, and not to the general question of bribery.

Mr. *Giffard.*] I do not cross-examine the witness.

[The Witness withdrew.

MARY WHORMBY was called in; and, having been sworn, was examined by Mr. *O'Hara*, as follows:

M. Whormby.
21 April 1866.

1897. I BELIEVE, Mrs. Whormby, you are a widow?—Yes.

1898. You have two sons, have you not?—I have.

1899. What are their names?—Thomas and Richard.

1900. I believe they voted at the last election?—They did.

1901. Who did they vote for?—They voted for Mr. Lawrence; I mean for Fenwick and Schneider.

1902. Who did they vote for; would you please to name the gentlemen they voted for again?—Mr. Schneider and Mr. Fenwick, the Liberal party.

1903. Do you know Joseph Wilson?—Yes.

1904. What is he?—He was canvassing for votes.

1905. He called upon you?—Yes; the night before the election.

1906. What did he say?—My son was very poorly, and he did not speak to him.

1907. Which son do you mean?—This, that is here to day.

1908. Would you mention his name?—Thomas.

1909. Thomas was poorly?—Yes.

1910. He could not speak to him?—No.

1911. What did he say to you?—He asked me which side they were going to poll on, and I said they would not change their colour.

1912. What colour was that?—Yellow.

1913. Did anything else pass?—No, nothing at all; only I said he would not be capable of attending the poll to-morrow. He had fits. "Well," he said, "You will see how he is in the morning; and you must look after him, and bring him." And he said, "I will pay you for your trouble."

1914. What would he give you?—He did not say what.

1915. Did he mention about the sum?—No, he did not.

1916. What did he give you?—Half a sovereign.

1917. When did he give you that?—After they had polled. They went right away and polled; and after they had come back he said, "There is a present for you," and he put half a sovereign in my hands; and when we came home we sent for the doctor for my son Thomas; he was so poorly.

1918. Did he give you any money for your sons?—Never.

1919. Are you sure of that?—I am sure of it.

1920. Did you get any money from anybody else for your sons?—No, I did not; I only got half a sovereign, and he merely gave it for my expenses; that is what he gave me.

1921. Do you, of your own knowledge, know whether he gave them any money?—No, he did not.

1922. What is the fare from your residence to Lancaster?—Sixpence halfpenny third class.

1923. And he gave you 10*s.*?—He did. But I had him to take care of both in going and coming back, and while he was there; he was not capable of taking care of himself.

1924. But you brought him to the poll, and he voted for Fenwick and Schneider?—Yes.

1925. Mr. *Giffard.*] You said he would not change his colours; he was always a Liberal?—Yes, he always was, and his father before him.

[The Witness withdrew.

THOMAS WHORMBY, sworn.

T. Whormby.

(*The examination of the Witness was postponed on account of his illness.*)

BETSY JACKSON was called in; and, having been sworn, was Examined by Mr. *O'Hara*, as follows:

B. Jackson.

1926. I BELIEVE your mother is Mrs. Whormby, the last witness?—Yes.

1927. And your brothers are Thomas and Richard Wormby?—Yes.

1928. Do you know Mr. Towers, of Cheapside?—I know him by sight; that is all.

1929. Did you see him at Cornforth lately?—I see him at James Richardson's the grocer's.

1930. When was that?—On Thursday.

1931. Was your mother there?—She went to the shop.

1932. And you were there too?—No.

1933. You did not go to the shop?—No.

1934. Did you have any conversation with Mr. Towers?

Mr. *Giffard* objected to the question.

The question was waived.

1935. Mr. *O'Hara.*] Do you remember the last election at Lancaster?—The last but one?

1936. No, the last election; in July last?—Yes; I remember it.

1937. Did you see Joseph Wilson at any time before that?—Yes; I saw him at my mother's.

1938. Did you hear him say anything to your mother?—I heard him ask my brothers for their vote.

1939. What did they say?—They said they would consider while morning. They would not decide then. This is the night before; they said they would consider while morning.

1940. What did he say to that? Did he make any answer?—No; I did not hear anything. I was only a lodger in the house. I did not hear him say anything.

1941. You did not hear him say anything?—No.

1942. Did you see him do anything?—No.

1943. Did you see any money in his hand?—No, he never mentioned money.

1944. Did you see your mother pay any money to your brothers immediately after the election?—No.

1945. Did Joseph Wilson say anything but ask them for their vote?—He asked them for their vote, and my brothers said they would consider while morning. They would not decide the night before.

1946. Did

B. Jackson
21 April 1866.

1946. Did both give the same answer?—For anything I know they did. One brother had getten too much drink; that is Thomas. I don't think he knew Mr. Wilson was in. He was asleep.

1947. But Richard said he would consider "while morning?"—Yes, he would consider while morning.

1948. And did Wilson say anything more?—No; he asked him for his vote.

1949. Did he give him a bit of paper?—No.

1950. A little card?—No, the cards came before; both the Liberal and Conservative card came.

1951. What cards do you mean?—

1952. Mr. *Giffard.*] "So and so solicits the favour of your vote"?—Yes, that was it. I never saw nothing but them.

1953. Mr. *O'Hara.*] Did you see any money paid?—No.

1954. Did you see Wilson pay any money to your mother?—No.

1955. Not a shilling?—No; I heard her say she got her expenses that day.

1956. How much did she say she got?—Ten shillings, to the best of my knowledge. My brother Thomas was very ill after. He had a fit after the election, and my mother had to call the doctor.

Mr. *Giffard.*] I do not ask any question.

[The Witness withdrew.

ANNIE LEE was called in; and, having been sworn, was Examined by Mr. *O'Hara*, as follows:

A. Lee.

1957. I BELIEVE you were a servant to Mr. Anthony Knowles Allinson?—Yes.

1958. Where does Mr. Allinson live?—In Moor-lane.

1959. Where is that; what place?—Moor-lane, Lancaster.

1960. What is the sign of his public house?—"The Golden Lion."

1961. You remember the 12th of July last?—Yes.

1962. That was the day of the election at Lancaster?—Yes.

1963. Were there many people in the house that day?—Yes.

1964. Were they supplied with drink?—Yes.

1965. Did they pay for it?—No.

1966. What time did they begin to come in?—Four o'clock in the morning.

1967. And how long did they stop?—Till three in the afternoon.

1968. And during all that time they got such drink as they wanted for nothing?—Yes.

1969. Who did you see there? Do you remember any persons you saw there?—Yes.

1970. Will you tell me some of their names?—There was Charles Lupton, Thomas Calvert, Robert Palmore, and Thomas Edmondson who is now dead.

1971. You took a note of all the drink you supplied?—The largest part of it.

1972. And what did you do with what you put down?—I gave it to Mr. Allinson.

1973. Did he charge it to anybody?—He set it down to Mr. Schneider and Fenwick.

Mr. *Giffard* objected to the question.

The *Chairman* stated that they must have the answer.

1974. By the *Committee.*] Who set it down?—I set the largest part of it down on pieces of paper.

Mr. *Giffard.*] The book itself ought to be here.

Mr. O'Hara was heard on the question of agency.

Mr. Giffard was heard in reply.

1975. By the *Committee.*] You say these expenses were incurred in your master's house?—Yes.

1976. Did your master tell you to set down the expenses to anybody?—To Mr. Fenwick and Mr. Schneider.

1977. He told you to set them down to somebody?—Yes.

Mr. Gifford was heard against the reception of this evidence, as not proving agency.

The *Chairman* stated that the Committee would receive the evidence, because, coupled with other facts, it might prove agency.

1978. Mr. *O'Hara.*] What did you say Mr. Allinson's Christian name was?—Anthony Knowles Allinson.

1979. Do you know what the drink supplied on that occasion amounted to in price?—I heard Mrs. Allinson say it amounted to 15 *l.*

Mr. *Giffard.*] That I object to.

1980. Mr. *O'Hara.*] Do you know where Mr. Allinson is?—No.

1981. When did you see him since you left there?—I have not seen him since I left there.

1982. When did you leave?—About four months ago.

1983. As far as you can judge, how much drink do you think yourself was supplied?—I don't know.

1984. You are in the habit of supplying drink; can you form an opinion of how much was served?—No.

1985. There was a great deal of drink served, was there not?—Yes.

1986. It began to be served at four o'clock in the morning?—Yes.

1987. And lasted how long, about?—Till about three in the afternoon.

Mr. *Giffard.*] I do not ask any question.

[The Witness withdrew.

JOHN GIFFORD was called in; and having been sworn, was examined by Mr. *Karslake*, as follows:

Mr. J. Gifford.

1988. YOU are a clerk to Mr. Clarke, who has conducted this petition?—Yes.

1989. Did you serve the Speaker's warrants at Lancaster?—Some of them.

1990. Just look at that (*handing a paper to the Witness*), and tell me whether you made an attempt to serve Anthony Knowles Allinson?—Yes.

1991. Have you left a duplicate of this at his place?—Yes; I left it with his wife.

1992. At

Mr. *J. Gifford.*

21 April 1866.

1992. At his place of business?—Yes.

1993. When was it that you left it?—On the 16th of this April; this month.

1994. Have you been there from time to time since for the purpose of seeing if you could see him?—Yes, I have been there daily.

1995. Have you made inquiries about him?—Yes.

1996. And have you been able to find him?—No.

1997. Have you made inquiries from his wife and other people in the house?—Yes.

1998. Have you also attempted to get the books from the house?—Yes.

1999. Have you been able to get any?—No.

2000. I see in that Speaker's warrant there is a *duces tecum* to produce the books; you have been making inquiries daily?—Yes.

2001. Do you know him personally?—Yes.

2002. Have you seen him at all since the election?—No.

[The Witness withdrew.

Mrs. JANE STIRKAZER was called in; and having been sworn, was examined by Mr. *Karslake*, as follows:

Mrs. *J. Stirkazer.*

2003. You are the wife of John Stirkazer, are you not?—Yes.

2004. And he is a freeman of Lancaster, is he not?—Yes.

2005. Does he live in a part of Lancaster called Meeting House Lane?—Yes.

2006. He has some land of his own, has he not?—Yes.

2007. You remember the time of the last election, of course, do you not?—Yes.

2008. Do you know Joseph Wilson?—Well, I do know him.

2009. You speak as though he were only a mere acquaintance; do you know him pretty well?—Well, yes.

2010. How long have you known him?—For about 40 years.

2011. Do you deal with him in plants?—No; I don't know as ever I bought a plant of him.

2012. You see him at the same chapel you go to?—No, he doesn't go to the same chapel.

2013. Did you see Joseph Wilson down about the time of the election?—He was down many times.

2014. Did you see him with your husband?—You must know I am half my time in the market; he may have been down many times when I was out of the house.

2015. But when you were at home, and not in the market, you have seen him with your husband?—Yes.

2016. Isaac Vickers; do you know him?—Yes.

2017. Have you seen him down there?—I cannot say that I have.

2018. Can you say that you have not?—On this last election?

2019. Just about the time of the election?—I have seen him many times in the street.

2020. Do you remember seeing Mrs. Schneider near to your place with Miss Turner?—I have not seen Mrs. Schneider for six months before she was married.

2021. I am talking about the polling day?—I never saw her at all on that day.

2022. Did you see her sister?—No, nor her sister either.

2023. Did you see Miss Turner?—No.

2024. Is Thomas Harrison Stirkazer a son of yours?—Yes.

2025. Did he live at home?—Yes.

2026. Do you mean to say that you never saw either Mrs. Schneider or Miss Turner down near your house at the time of the election?—No, I never did.

2027. Did you see them at all about the time of the election?—No, I never did.

2028. How lately have you seen Miss Turner?—I have not seen Miss Turner not for three months.

2029. How lately have you seen Mrs. Schneider?—Never since six months before she was married.

2030. How long ago is that?—I cannot say.

2031. You have never set eyes upon her since?—No.

2032. Do you remember somebody coming and leaving some money at your house for your son and husband?—No.

2033. Did Joseph Wilson leave any money there for them?—No, he didn't.

2034. Did you see him there?—I did not see him leave any money for any one.

2035. You did not see him leave any money anywhere?—I did not see him leave any money anywhere at our house.

2036. How long did you see him before the election? You know you saw him before the election?—He came down several times, but I was not at home.

2037. He came several times just about the time of the election?—Yes.

2038. Do you know the people at the vicarage?—Yes, I know them very well.

2039. What is their name?—Turner.

2040. Were they down at your place?—No.

2041. While you were there you mean? Do you go to "Keep the market," as I believe you call it?—Yes.

2042. How often were you at the market?—Every day.

2043. You go to the market and your husband and son attend to the market-gardening business?—They do, and I attend to the market.

2044. They are at home at the market-garden?—Yes.

2045. Was there a market going on, on the polling day?—Yes, I was in the market from eight in the morning till two in the afternoon.

2046. You were there from eight in the morning till two in the afternoon?—Yes.

2047. Then you did not know about any one leaving money?—No.

2048. You did not go back till two o'clock in the afternoon of the polling day?—No.

2049. Did you receive any money in the market from anybody?—No; except for what I sold.

2050. From the people in the market that bought of you you received money?—Yes.

2051. But nobody else gave you any money?—No.

Examined by the *Committee.*

2052. It seems you have had a long acquaintance with Joseph Wilson; 40 years, I think, you said?—Yes.

2053. Then you can tell me what occupation Mr. Wilson has; what is he?—He is a master-man tailor.

[The witness withdrew.

THOMAS HARRISON STIRKAZER was called in; and, having been sworn, was Examined by Mr. *Karslake*, as follows:

T. H. Stirkazer.

21 April 1866.

2054. Are you a son of John Stirkazer?—Yes.

2055. Are you a freeman of Lancaster?—I am.

2056. Just about the time of the last election were you living at home with your father and mother?—I was.

2057. Have you been canvassed for Mr. Lawrence?—Yes.

2058. Had you promised a vote for him?—No.

2059. Had you said you would vote for him?—I never promised Mr. Lawrence to vote for him.

2060. Had you promised anybody to vote for him?—Not exactly.

2061. Well, if you didn't exactly promise, how near did you go to a promise? What did you say? Did you give them hopes you were going to vote for Mr. Lawrence?—They came to me when I was in a hurry. I wanted to go into the town, and I held out some hopes just to get rid of them.

2062. When was it that you held out these hopes?—The Saturday before the election.

2063. After they had been, did you see Mr. Joseph Wilson down at your place?—Yes.

2064. You have known him for some time?—I have.

2065. What brought him down to your place then?—He came to ask me if I would go with him to Carnforth.

2066. That is where some of the Lancaster freemen live?—Yes.

2067. What were you to do for him?—I was to go to help him with the voters, and help him to get the voters to the poll.

2068. That was the day before the election?—Yes.

2069. When were you to go and do this?—On the morning of the election.

2070. To bring up the voters for Fenwick and Schneider?—Yes.

2071. Had you been canvassed for your vote for Fenwick and Schneider up to that time?—Yes, previously.

2072. When were you canvassed for them?—As near as I can remember about a fortnight before.

2073. And between that time and the time you saw Joseph Wilson the day before the polling day you had had these gentlemen from Mr. Lawrence?—Yes.

2074. Did you go to these voters at Carnforth on the day of the election?—No, I didn't.

2075. How long was Joseph Wilson with you at your house on the day before the election?—He might be five minutes or he might be ten.

2076. Was your father there?—I cannot say. He would be in the garden, I think.

2077. Did he go and see your father after he had seen you, and talk to him?—I did not see him go.

2078. Whereabouts on your premises did you last see him?—At the door.

2079. Then you don't know whether he saw your father or not?—I don't know.

2080. Did you see Mrs. Schneider down in the ground that day?—No.

2081. Nor Miss Turner?—No.

2082. Did you see the carriage drove there?—No.

2083. Did you on any other day about that time?—No.

2084. When last did you see Mrs. Schneider?—never since the morning of her marriage.

2085. Have you seen Miss Turner lately?—No; I don't know that I have seen Miss Turner for the last 12 months.

2086. How recently have you supplied plants to the vicarage?—To the vicarage?

2087. Yes; how lately have you supplied plants to the vicarage?—Not for four or five years.

2088. Did you not send something there about the time of the election?—No.

2089. Nothing at all?—No.

2090. On the day of the polling did you and your father go together to the poll?—We met at the polling booth.

2091. Where was that polling booth?—At the assembly rooms.

2092. What time of the day was it?—Well, it might have been about half-past 10 in the forenoon, I cannot say exactly to half an hour.

2093. Did you see Joseph Wilson again between the time you went to the polling booth and the time that you voted?—No; I do not remember.

2094. Did you see him on the polling day?—I think I saw him in the street.

2095. Did you speak to him?—I daresay I should.

2096. Have you any doubt about it?—We always speak when we meet, so, no doubt, I should speak to him.

2097. That's just what I want to know. You spoke to him then?—No doubt.

2098. Had he care of voters then?—I did not see any one.

2099. He asked you to go down. What for?—To help them to the poll.

2100. Did you vote for Schneider and Fenwick?—I did.

2101. Was any sum of money ever spoken of with reference to your vote?—Yes; the Conservatives offered 17 *l.* 10 *s.* for mine and my father's.

2102. They offered you 17 *l.* 10 *s.* if you and your father would vote?—Yes.

2103. And did the Liberals offer you nothing?—Nothing.

2104. What did they give you?—Nothing at all.

2105. What did they say to you?—They never said anything.

2106. Have you said to any one there was a sum of 20 *l.* offered to you if you would vote for Fenwick and Schneider?—I do not remember that ever I said so.

2107. Come, now, you must remember whether you have said so or not. Do you know of a sum of money being left in the house by somebody?—No.

2108. You never heard of it?—No.

2109. You never heard of your father having a sum of money left for him?—No.

2110. How long was it before the election that the Conservatives promised that?—On Saturday.

2111. What did they say, and what did you say?—They said, "Would I accept of it?" I said, "All right, very well."

2112. And what then. They left you with the understanding that you would vote for them?—They left me with the understanding that I would go for them.

2113. And

2113. And that you agreed to take the 17 *l.* 10 *s.*?—They left me with that understanding.

2114. Well, 20 *l.* is more than that?—Yes.

2115. Have you ever said you received 20 *l.* for voting for the Liberals instead of for the Conservatives?—I don't remember.

2116. You might remember I should think; these things don't happen often?—No, they don't; they never did happen with me.

2117. I am asking what you said?—I don't remember having said it.

2118. Will you swear you never said you received 20 *l.* for your vote?—I will swear I never said I had received 20 *l.* for my vote.

2119. Have you said you were to receive 20 *l.*?—I never said I was to receive 20 *l.*

2120. What have you said about it; you said you didn't recollect that you had said something; what did you say?—I don't know that I have said anything beyond talking about the popular reports.

2121. What are these popular reports?—A deal has been said. Some said I had sold a plant for 47 guineas.

2122. What did you say when these reports were mentioned?—If any one said, "You have got so and so," I should have said I had not got it.

2123. Did you say you were to have it?—I never said what I had to have.

2124. Didn't Joseph Wilson say what you were to have?—No.

2125. Did he say you were to have any money?—No; he never mentioned money.

2126. Did he say if you worked for him it would be better for you?—No.

2127. What did he say?—He came merely to ask me if I would help him with the voters.

2128. Did he say those who worked for the Liberals would be paid?—No, he never named that.

2129. He said nothing about it?—He said nothing about it.

2130. When was it you were talking about these rumours?—I dare say I have talked about it this last week.

2131. And long before; how soon did you talk about it after the election?—I can't tell; as soon as I heard of it.

2132. The rumour that you were to have 47 guineas is untrue?—Yes, it is untrue.

2133. What did you say when they told you this untrue rumour?—When?

2134. When they said this thing about you?—I neither said it was so, nor contradicted it; I made a laugh of it.

2135. What did they offer you?—They never promised anything.

2136. What was the understanding; we will not say what you were promised?—There was never no understanding.

2137. Was Joseph Wilson the only man who canvassed you?—No.

2138. Who had canvassed you first?—Mr. Fenwick and Mr. Schneider.

2139. Did they canvass you personally?—Yes.

2140. Did Joseph Wilson come with them?—I think not.

2141. Who was with them?—Mr. Mackstead.

2142. Was Allinson there?—Knowles Allinson?

2143. Yes?—I cannot say.

2144. He had a canvassing book at the time; that will remind you of it?—Who had a canvassing book?

2145. Allinson?—I can't remember seeing him at our place with it.

2146. I do not ask at your place?—I have seen him with them in the streets.

2147. When they have been canvassing about the town?—Yes.

2148. Had he a book?—I don't remember him with a book.

2149. Have you seen Joseph Wilson also with them?—I have seen him canvassing with them.

2150. In your neighbourhood?—No; I don't remember that I ever saw him in our neighbourhood.

2151. Who else; Wearing?—I don't remember having seen Wearing.

2152. Who do you remember having seen?—Mr. Mackstead, and Mr. Wilson, and Allinson; I think once I saw Mr. Barton.

2153. How often have you seen them canvassing; they were pretty much engaged, I suppose; how often have you seen them?—Half-a-dozen times upon the last election, perhaps.

2154. You are generally at home with the plants?—No; I am moving about in all directions.

2155. I thought your mother told us you attended to the market garden; or does your father attend to that chiefly?—We both tend it, and I attend the market.

2156. You go with your mother to the market?—Yes.

2157. Do you know Vickers?—I do.

2158. Did you see him on the polling day?—I can't remember ever seeing him on the polling day.

2159. The day before?—I can't swear to the day before.

2160. How recently did you see him before the election?—Within a week of the polling.

2161. What was he doing when you saw him?—He was standing at the shop door.

2162. After the election, how soon did you see him?—I took no notice of anything of the sort; I cannot say.

2163. Have you had any conversation with him about what people had been paid or were to be paid?—None whatever.

2164. Have you seen him at your house since the election?—Never.

2165. I mean your father's house?—I have never seen him since the election.

2166. You see Wilson, frequently, I suppose?—Joseph Wilson?

2167. Yes, Joseph Wilson; are you very intimate with him?—Yes.

2168. Were there any plants ordered for the Vicarage about the time of the election?—None whatever.

2169. Nor for any other place about that time?—None whatever; none more than ordinary.

2170. Do you know Lightburn House?—I have heard speak of it; I don't know it.

2171. Were any plants ordered from you for Lightburn House then?—No, they were not.

2172. Not at that time?—No, they were not.

Mr. Serjeant *Ballantine.*] I have nothing to ask.

T. H. Stirkazer.

21 April 1866.

JOHN STIRKAZER, was called in; and, having been sworn, was Examined by Mr. *Karslake*, as follows:

J. Stirkazer.
21 April 1866.

2173. YOU are a freeman of Lancaster, are you not?—Yes.

2174. Do you generally vote at the elections?—I do.

2175. You remember the last election?—Yes.

2176. And the one before that?—Yes.

2177. Who did you vote for at the one before the last?—For Mr. Fenwick.

2178. And the one before that again?—I cannot say as far back as that; my memory is bad; but this I tell you, that I have been a freeman 54 years, and I never received a bribe in my life; that's what I can say, I never took a bribe in all my life.

2179. "Methinks you protest too much;" were you canvassed for Mr. Lawrence at the last election?—No; he never called on me at all.

2180. Did somebody call on you for him?—Ah! I had plenty of money offered there.

2181. We will get that, because it is an important preliminary; how much did you get offered there?—John Hargreaves offered me 10*l.* and 10*l.* for my son.

2182. Mr. *Giffard.*] Who offered that?—John Hargreaves of High-street.

2183. Mr. *Karslake.*] How long was that before the polling?—Two or three days.

2184. Was that the first time you saw them?—Yes.

2185. What did you say when they offered you that?—I told them I would not have it.

2186. Had you promised your vote before that?—Yes, I had promised it; I think to Mr. Fenwick.

2187. Had you promised it to Mr. Lawrence at any time?—No, I have not.

2188. Nor to Mr. Schneider?—When he called on me I did not promise.

2189. How long before the election had he called upon you?—William Halstead came and offered us 17*l.* 10*s.*, and because my son would not take it he threatened to thrash him.

2190. As your son would not take 17*l.* 10*s.* or a thrashing, he offered you 20*l.*—On the election morning.

2191. We will not go to that day.—You got an offer of 20*l.*—We had 10*l.* a piece offered.

2192. Ten pounds each was offered to you?—Yes.

2193. £.17 10*s.* or a thrashing, and 20*l.* without a thrashing?—That was for one vote. Mr. Lawrence one, and Fenwick the other.

2194. Was the 17*l.* 10*s.* for your vote alone, or for yours and your son's?—Both together.

2195. And when you would not take that, 20*l.* was offered you?—That would be John Hargreave's.

2196. When was that?—Three or four days before the election.

2197. How soon after the 10*l.* a piece had been offered, had you seen Mr. Fenwick and Mr. Schneider?—I had seen Mr. Fenwick before this.

2198. When did you see the two together?—They never came together.

2199. Did you see Mr. Fenwick again afterwards?—No.

2200. Mr. Schneider, did he call on you?—Mr. Schneider called, but I refused him.

2201. Was that after you had had the offer of the 10*l.*?—Mr. Schneider never offered me 10*l.*

2202. I am talking about the Conservative offer?—My memory is so bad, I could not tell to a day; I know that these that I spoke of were offered.

2203. When?—I could not say.

2204. Did Mr. Schneider come after the 17*l.* 10*s.* for the two votes had been offered, and after the 10*l.* a piece had been offered?—I could not say exactly.

2205. There is no doubt about that, is there?—It would be about the time.

2206. Who came with Mr. Schneider?—Really, I don't know.

2207. Did Joseph Wilson come with him?—I don't think he did.

2208. You will not swear he did not? Come, come, Mr. Stirkazer; Joseph Wilson, the tailor, do you know him?—I know him.

2209. He is a very active man in Lancaster, is he not?—Yes, pretty active.

2210. Here, and there, and everywhere, about election times?—He never troubled me much.

2211. Troubled you! of course not; it would be a pleasure to you?—He never offered me anything.

2212. Did he come with Mr. Schneider to pay you a visit?—I cannot say he did.

2213. You will not say he did not?—I could not swear who was with him.

2214. How did Mr. Schneider come; in his carriage?—I didn't see him come. I was in the garden, and he came into the garden to me.

2215. You remember that perfectly; your memory is not so bad after all?—I know he came into the garden to me.

2216. What were you doing at the time?—I was working beside the hothouse, but I can't tell you what I was doing particularly.

2217. Tell me who came with him?—I don't know.

2218. Come, now, your memory is not so bad; you remember that you were beside the hothouse, and surely your memory is good enough for what I ask you?—I am not holding back because I am frightened at anything; but, you see, sir, I am an old man, and my memory is bad.

2219. You are doing yourself injustice, because you know you remember you were by the hothouse when Mr. Schneider came?—I remember that.

2220. And you cannot remember whether tailor Wilson was there?—No; I have no doubt when a Parliament man came, I should not take notice who was with him.

2221. Cannot you really say whether Joseph Wilson was with him?—I don't know.

2222. You will not swear he was not?—I will not swear whether he was or was not.

2223. What passed between you and Mr. Schneider; I suppose he shook hands with you? Tell me what passed?—Between Mr. Schneider and me?

2224. Yes?—I have not much acquaintance with him, and I did not promise him.

2225. What did he say to you?—I cannot tell what he said; he worked hard for my vote, but I did not promise him.

2226. What do you mean by working hard; he said all sorts of pretty things, I suppose?—I can't say

say whether they were pretty things or not, or what they were; but he tried hard.

2227. And you would not promise him?—No.

2228. He left you supposing that you were going to vote for the Conservative, did he?—Oh dear no; I am not a Conservative, not a bit.

2229. Very likely not?—I never did vote for them in my life.

2230. Did you let Mr. Schneider think you were going to plump for Fenwick?—No; I told him nought about it.

2231. Well, you need not keep anything back; what did you let him know?—I am keeping nothing back.

2232. What did you let Mr. Schneider know?—I can't say; what do you mean?

2233. He did not know how you would vote?—No.

2234. You kept that quite a secret?—He knew I was going to vote for Fenwick; but I did not promise him; I neither said one way or the other.

2235. How soon after that was it that you saw Joseph Wilson?—Joseph Wilson?

2236. Yes, Joseph Wilson?—The day before the election he called at our house.

2237. That is the nomination day?—Yes; but he did not say anything to me.

2238. Surely, Mr. Stirkazer, he did; an old friend like that would not be likely to say nothing to you about that?—He called on my son to get him to go and bring men up to the election.

2239. Did you see him with your son; where was he?—My son was in the house.

2240. Where did the conversation take place?—In the house.

2241. In the same room as you?—Yes.

2242. Was your missis there?—Yes, she was.

2243. You were all together?—Yes.

2244. Very good; now, can you remember what time of the day it was?—I cannot say.

2245. Was it before dinner?—I think it was in the afternoon; but I can't say.

2246. What did take place between him and your son; did you hear that?—Well, I did not take much notice; I am hard of hearing. People may talk about me, and I don't know what they are talking about.

2247. Let us know all you did hear of what Joseph Wilson did say?—I could not hear them.

2248. Just now you said your son was to go and pick up voters; that Wilson told him so?—He talked about that, but I took no notice; he never asked me about polling; that I do know.

2249. You heard what he said to your son about picking up the voters?—I may catch odd words now and then, but I can't hear all.

2250. It did not strike you as "odd words" that he should go and rub up the voters?—I heard something of that sort.

2251. Did you tell Joseph then that you were going to vote for Mr. Schneider?—I can't say.

2252. You must have made up your mind at one time or another, because you gave your vote; and I want to know how you came to make up your mind, and when?—I am a reformer; and it was not likely that I should vote for a reformer and a Tory, was it?

2253. No; that would not have done at all?—One would be "Aye" and the other "No."

2254. You did vote at last for Messrs. Fenwick and Schneider?—I voted for the two reformers.

2255. That is consistent; I want to know now which of your friends was it that you told you were going to vote for Mr. Schneider as well as Mr. Fenwick; because you kept it dark, you know?—I was not persuaded to it by any person.

2256. No one knew except your son, is that it?—Those in my own house might know.

2257. Your missus, for example?—And my son; they might know.

2258. You are not quite sure you told them?—I might have done, but I cannot say I did.

2259. Did you tell your son?—I can't say; I might do.

2260. Did your son tell you; that might have been so, you know?—I am not tied that way, to go just as anybody tells me to go.

2261. I did not catch those words; what do you say?—You catch a good many words of mine, and could not catch that.

2262. Would you mind letting us have those fleeting words, and I will try to catch them; what was it? Did not your son tell you how he was going to vote?—That I can't say.

2263. As I understand, you went to the poll and did not know how you were going to vote?—We were both reformers, and we took the reform side. I can tell you this; money does not influence us at all about voting.

2264. Nor anybody else at Lancaster, I suppose; money would not influence any Lancaster voters?—Ay, it may do; there were a man that came up at four o'clock in the morning to knock us up, with 17 *l.* 10 *s.*, to vote for the Conservatives.

2265. Who was it?—Marshall the liquor merchant.

2266. Did you get up?—I looked at him from the window, and he had it in his hand.

2267. You resisted that temptation?—I do not want money.

2268. You resisted it?—Yes, of course I did.

2269. When was that?—The election morning.

2270. Was that the second time you had 17 *l.* 10 *s.* offered you?—He had come from Halstead.

2271. Hoping that that might tempt you at four o'clock in the morning?—But it didn't.

2272. You didn't say, "I am going to vote for Schneider and Fenwick"?—No.

2273. You looked at the money from your window, and then put down the window and got into bed?—Yes.

2274. You resisted the temptation and went to bed; and after all voted for Fenwick and Schneider?—Yes.

2275. How came you to do so?—How came anybody to go and vote for them?

2276. I don't know, I am sure; different motives may have influenced them; how came you to vote for them?—I promised Mr. Fenwick, and I voted for him.

2277. But then, you know, there was Mr. Schneider; how about your voting for him?—They were two reformers.

2278. And you hold by reform?—Yes, that I do.

2279. Did you and your son meet by accident at the polling booth?—I don't recollect.

2280. Did you go together to the booth?—No, we did not go together.

2281. Who is Isaac Vickers?—He is a watchmaker.

2282. Where does he live?—In Market-street.

2283. How

J. Stirkazer.

21 April 1866.

2283. How long have you known him?—I never had no acquaintance with him till now; I never exchanged more than six words with him in my life before we came up here.

2284. Then you can no doubt tell us what those six words were that you exchanged with him?—Isaac Vickers never came to me about canvassing; I see what you are aiming at.

2285. Perhaps you do. What have you been talking to Isaac Vickers about since you have been here?—Why, what a shameful thing this petition was.

2286. I do not wonder at your saying that?—I may as well tell you; you asked me, and now you've got it; I know you did not want to hear it; but there it is.

2287. You both agreed in that; that it was a shameful thing?—Well, we thought so.

2288. When have you seen Vickers?—Just before I came in here.

2289. How often did you see him about the time of the election?—He might be standing at his shop door as I passed, but I never saw him to speak to.

2290. Did you see him in the street where your house is?—No, never.

2291. Just about the polling day, I mean?—No.

2292. Do you remember his leaving money at your house about that time?—No, never; didn't I tell you before, I never received a bribe in my life.

2293. You did; and I am not asking you the same question?—But you are coming to the same thing again.

2294. Perhaps I am. Did Vickers call at your house and leave some money?—Never.

2295. Never in his life?—Never in his life.

2296. You sell plants, do not you?—Yes.

2297. You have got a hothouse, where you had this conversation?—Yes.

2298. Did you see Mrs. Schneider?—I have never seen her since she was Mrs. Schneider. I know there is a story about selling a plant; but I tell you I never sold a plant for 10 shillings in my life. She did not buy a plant at that time.

2299. Was she down at your house about the time of the election?—She was not; didn't I tell you so before?

2300. Was Mrs. Turner at your place about the time of the election?—No.

2301. Were any plants sent to the Vicarage?—If they were to come and buy them at the market price, I should sell them.

2302. Of course you would. Were any plants sold to them at the time of the election?—I don't recollect it.

2303. You have a book where there are memoranda of what is sent out, I suppose?—I don't know that I have.

2304. Well, you can tell me this: were some plants sent to the Vicarage at the time of the election?—If there was any sent up they was not sent by me; and if there was any sent up they was not sold above the market price; none above sixpence.

2305. Will you swear that none were sent up about the time of the election?—Not one that I know of.

2306. Do you know, as a fact, that none were sent to the Vicarage at the time of the election?—I could not say they were not when I don't know.

2307. You must know?—I can't know.

2308. Do not you know what goods you send out of your shop?—I don't send them; there is my son, and my daughter, and my wife there; they send out plants.

2309. Were any plants sent up about the time of the election from your place belonging to you, to the Vicarage?—Well, there might be; but if they went, they were not sold for more than in the market-place; and plants would not go up there to the value of 5 *s.*, not with any influence, for a vote or anything of that kind.

2310. I did not ask you that?—I know what you mean.

2311. I see you do. What plants did go up to the Vicarage?—I really cannot tell you; when I tell you I don't know whether any went or not, how can I tell you what went?

2312. I must ask you some more questions about it?—And you will get nothing out of it.

2313. I understood you to say that plants did not go up?—I don't know.

2314. Will you swear that you do not know whether plants went up from your place that belonged to you, about the time of the election?—I will swear that they did not go according to my knowledge; I have no recollection at all of any going.

2315. Have you heard, since the election, that plants were supplied by you?—I know that there is a report that I sold a plant for forty——

2316. Forty what? What is the report that you heard; that you sold a plant for—what?—Forty-five guineas.

2317. It would be a "plant!" You never did sell a plant for 45 guineas?—Never.

2318. At subsequent elections perhaps you may?—I don't want to do.

2319. Do you mean to swear that you do not know that plants had been supplied by you to the Vicarage?—I do swear it; not according to my knowledge.

2320. What do you mean by that, "not according to your knowledge"?—I have no recollection of it.

2321. I must refresh your recollection if I can?—When you get to between 70 and 80 years old you will find things are not so good to call to your recollection.

2322. We have heard about this 45 *l.* or 47 *l.* for plant, and I want to know all about it?—Did not I say that I never sold one for 10 *s.* in my life?

2323. Yes, you did; you say now that no plants went to the Vicarage about the time of the election?—I tell you I don't know, to swear to it; and if they did, I can't see what difference it would make to this election.

2324. Will you pledge your oath that no plants went from your place, or that belonged to you, at the time of the polling day?—I say, according to my recollection, there did not. I did not send any.

2325. I do not suppose you carry plants about yourself; who generally takes out plants for you?—Sometimes my daughter, sometimes my wife, sometimes my son, or sometimes I may sell them.

2326. But you do not take them yourself?—No.

2327. You never carry plants?—No.

2328. You never heard of any being taken?—No.

2329. Do you keep books?—No.

2330. None at all?—No.

2331. You

2331. You do not keep books at Lancaster?—We do not.

2332. I ask you again, Will you go no further than according to your recollection or memory, there were no plants went up at that time?—I would not swear that, according to my recollection, there were no plants went up at that time; I have no recollection of it.

2333. Is your daughter here?—No.

2334. What other son have you besides the son that has just left the room?—He is a man that works at the railway.

2335. It is only your daughter and son that take out things?—No.

2336. When last did you see Miss Turner down, either in the market or near your place?—I cannot say that I have seen him for a long time. I may sometimes see him in the street, but I know very little of him, and I neither nod nor speak to him.

2337. Have the people at the Vicarage ever dealt with you for plants?—They may have bought an odd plant.

2338. Have they ever bought plants from you?—They may have bought an odd plant, or three or four, but never more.

2339. When last did they buy from you?—I cannot tell you.

2340. Are you sure you do not know?—Yes, I am.

2341. You say you know Vickers, the watchmaker?—Yes.

2342. Has he a shop of his own?—Yes.

2343. Did he ever come at four o'clock in the morning, and show you something?—Never.

2344. The only man that did that was the man you have mentioned?—None but Marshall.

2345. When was that?—The election morning.

2346. At four o'clock in the morning?—Yes.

2347. Did you see Joseph Wilson on the polling day?—It was the day before that he called.

2348. That is the last time you saw him before the election?—I might have seen him in the street, the same as I might see anybody else, but not to speak to.

2349. Do you know of Vickers having been at your house at all on the day of the election?—No; I do not know that he was.

2350. Or the day after?—I don't know.

2351. You never heard of him leaving money at your house?—Never; neither after nor at the election, nor before.

2352. Did anybody else leave money at your house?—No.

2353. You never found any money you could not account for in the house?—No.

2354. Did your son ever show you any?—My son has money of his own. He is a man of himself; he is a man that keeps milk beasts, and he has plenty of money of his own.

2355. Is your son a market gardener?—He sometimes helps me in the garden; he keeps these milk beasts, I tell you, and he is generally after them.

2356. Does he live with you?—He lives at home now.

2357. Then you swear nobody left money you could not account for?—I have told you that before.

2358. Did anybody; tell me again?—No.

2359. You will not say any more about the plants at the Vicarage?—No; it's nonsense talking about that.

Cross-examined by Mr. Serjeant *Ballantine.*

2360. What age are you?—Going in 73.

2361. Have you taken any bribe, directly or indirectly, to vote at this election?—Never at no election; I have been 54 years a freeman, and never received a bribe, never a glass of ale or a mouthful of meat, from any person for my vote for 40 years; and I think there's not many freemen could tell the same tale.

2362. You have contrived to get on without it?—Yes.

[Adjourned to Monday 11 o'clock.

Monday, 23d April 1866.

EDWARD HOWES, Esq., CHAIRMAN.

The Names of the Members were called over:—All present.

J. Gifford.
23 April 1866.

JOHN GIFFORD, recalled; Examined by Mr. *Karslake.*

2363. YOU were sworn on Saturday, but I want to ask you a question. Were you present at the nomination of Mr. Schneider and Mr. Fenwick?—Yes.

2364. Do you know Mr. Charles Blades?—Yes.

2365. Did he propose or second one of those gentlemen?—He seconded Mr. Schneider.

[The Witness withdrew.

Mr. *Karslake* desired to refer the Committee to the poll books, to show that the four persons mentioned by Annie Lee on Saturday, Charles Lupton, Thomas Calvert, Robert Palmore, and Thomas Edmondson, had voted for Messrs. Schneider and Fenwick, and as the Petitioners did not propose to call any further evidence, he (Mr. Karslake) now proposed to address the Committee, unless the Counsel for the sitting Members intended to call witnesses.

Mr. *Giffard* replied that he did not intend to do so.

Mr. *Karslake* proceeded to address the Committee on behalf of the Petitioners.

Mr. *Giffard* was heard on behalf of the sitting Members.

LANCASTER BOROUGH ELECTION.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

LANCASTER BOROUGH ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1 8 6 6.)

Ordered, by The House of Commons, *to be Printed,*
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TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

LANCASTER BOROUGH ELECTION PETITION.

(1866.)

Ordered, by The House of Commons, *to be Printed*,
25 *April* 1866.

210—I.

Under 2 *oz.*

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

MAIDSTONE ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
23 *April* 1866.

Friday, 13*th April* 1866.

NAMES of Members appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Maidstone:

Alexander Dundas R. W. Baillie Cochrane, Esq.	Francis John Savile Foljambe, Esq.
Sir Francis Crossley, Bart.	Clare Sewell Read, Esq.

The Honourable CHARLES W. G. HOWARD, Chairman.

Monday, 16*th April* 1866.

Ordered, THAT the Petition relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Eleven of the clock.

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REPORT.

MAIDSTONE ELECTION COMMITTEE

Monday, 23d April 1866.

The House informed, that the Committee had determined,—

That William Lee, Esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Maidstone.

That James Whatman, Esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Maidstone.

The House further informed, that the Committee had agreed to the following Resolutions:—

That the Committee are of opinion that Henry Chambers, in his evidence before them, was guilty of wilful and corrupt perjury.

That it was proved to the Committee that colourmen and bands of music were employed by both parties at the last Election.

That it was not proved that corrupt practices have extensively prevailed at the last Election.

PROCEEDINGS OF THE COMMITTEE.

Tuesday, 17*th April* 1866.

NAMES of Members called over;—all present.

Room cleared. The Committee agreed to the following Preliminary Resolutions:—

1. That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. That if costs be demanded by either party under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. That the Committee expect that with respect to cases of bribery, or offers or promises of money or other valuable consideration, which it is intended to bring home to the Sitting Members, or their agents, the Counsel for the Petitioners will now state the names of the electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered to do so.

4. The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

5. That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. That no person shall be examined as a witness who shall have been in the room during any of the proceedings (with the exception of Sitting Members or their Agents, whose names shall be handed in) without the special leave of the Committee.

9. That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. That the Committee will follow the practice of the courts of law with regard to speeches, as laid down in section 18 of the Common Law Procedure Act, 1854.

12. That if the leading Counsel are not prepared to sum up the case on either side when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent.

Parties called in, and informed of the above resolutions.

Petition of certain Electors complaining of an undue Election and Return for the Borough of Maidstone.

Counsel for the Petitioners:—Mr. *Price*, Q.C., Mr. *W. H. Cooke*, Q.C., and Mr. *Stavely Hill*.

Agents:—Messrs. *Baxter*, *Rose*, and *Norton* and Co., and Mr. *Thomas Goodwin*.

Counsel for the Sitting Members:—Mr. Serjeant *Ballantine*, Mr. *Davison*, Q.C., and Mr *Henry James*.

Agents:—Messrs. *Wyatt* and *Metcalfe*, Mr. *Jeaneret*, and Mr. *Wells*.

Mr. *Price* opened the case for the Petitioners.

The short-hand writers were sworn by the Chairman.

Mr. *James Richard Naylor*, sworn; produced 11 polls of the last Election; examined by Mr. *Cooke*.

Jesse

Jesse Kirby, sworn; examined by Mr. *Cooke*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Price*.

Mr. *William Henty*, sworn; examined by Mr. *Stavely Hill*; cross-examined by Serjeant *Ballantine*.

Mr. *John Fuller*, sworn; examined by Mr. *Price*.

Mr. *John Henry Dickinson*, sworn; examined by Mr. *Stavely Hill*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Price*.

Mr. *William Henry Gibbons*, sworn; examined by Mr. *Price*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Price*.

Mr. *William Newport*, sworn; examined by Mr. *Price*.

On the question, "What passed on this occasion?" Mr. Serjeant *Ballantine* objected, as not being material.

Mr. *Price* was heard in reply.

Room cleared; the Committee deliberated.

The Committee decided that the objection was valid; and that the witness hitherto had not been proved to be an agent, by whose acts the election would be voided.

Parties called in, and informed thereof.

William Newport, sworn; further examined by Mr. *Hill*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Stavely Hill*.

Mr. *Thomas Willes*, sworn; examined by Mr. *Stavely Hill*.

On the question, "What did Misson say?" Mr. *Henry James* objected that the agency of Misson had not been proved.

Mr. *Hill* was heard in reply.

The Committee decided that the question might be put.

Examination continued.

Cross-examined by Mr. *H. James*; re-examined by Mr. *Stavely Hill*.

Mr. *John Monckton*, sworn; examined by Mr. *Cooke*.

Mr. *William Swan*, sworn; examined by Mr. *Price*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Price*.

[Adjourned to To-morrow, at Eleven o'clock.

Wednesday, 18*th April* 1866.

Names of Members called over;—all present.

Mr. *Henry Chambers*, sworn; examined by Mr. *Price*; cross-examined by Mr. *Davison*; re-examined by Mr. *Price*.

Mr. *William Diprose*, sworn; examined by Mr. *Price*; cross-examined by Serjeant *Ballantine*.

Mr. *Henry Amies*, sworn; examined by Mr. *Price*.

Mr. *Robert Shirley*, sworn; examined by Mr. *Price*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Price*.

Mr. *William Roe*, sworn; examined by Mr. *Price*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Price*.

Mr. *William Collins*, sworn; examined by Mr. *Stavely Hill*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Stavely Hill*.

Mr. *Thomas Hearndon*, sworn; examined by Mr. *Stavely Hill*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Stavely Hill*.

Mr. *Walter Potter*, sworn; examined by Mr. *Stavely Hill*.

Mr. *Thomas Standen*, sworn; examined by Mr. *Stavely Hill*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Stavely Hill*.

Mr. *John Carter*, sworn; examined by Mr. *Stavely Hill*.

Mr. *Henry James Noble*, sworn; examined by Mr. *Stavely Hill*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Stavely Hill*.

Miss *Sarah Ann Clegg*, sworn; examined by Mr. *Hill*; cross-examined by Mr. *H. James*; re-examined by Mr. *S. Hill.*

Mr. *John Brown*, sworn; examined by Mr. *Stavely Hill.*

Mr. *Richard Doubell*, sworn; examined by Mr. *S. Hill*; cross-examined by Mr. *Henry James.*

Mr. *George Diprose*, sworn; examined by Mr. *S. Hill*; cross-examined by Mr. *Henry James*; re-examined by Mr. *S. Hill.*

Mr. *John Apps*, sworn; examined by Mr. *Price*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Price.*

Mr. *Hillier Gibbons*, sworn; examined by Mr. *Price.*

Mr. *John Richardson*, sworn; examined by Mr. *Price.*

Mr. *William Barton*, sworn; examined by Mr. *Price.*

[Adjourned to To-morrow, at Eleven o'clock.

Thursday, 19*th April* 1866.

Names of Members called over;—all present.

Mr. *Thomas Bishop*, sworn; examined by Mr. *Hill*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Hill.*

Mr. *William Gandy*, sworn; examined by Mr. *Cooke*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Cooke.*

Mr. *William Pearce Amies*, sworn; examined by Mr. *Hill.*

Mr. *Henry Pratt*, sworn; examined by Mr. *Hill*; cross-examined by Serjeant *Ballantine.*

Mrs. *Catherine Peters*, sworn; examined by Mr. *Cooke*; cross-examined by Serjeant *Ballantine.*

Mr. Serjeant *Ballantine* then called the following witnesses on behalf of the Sitting Members:

Mr. *James Whatman* (one of the Sitting Members), sworn; examined by Serjeant *Ballantine*; cross-examined by Mr. *Stavely Hill*; re-examined by Serjeant *Ballantine.*

Mr. *William Lee* (one of the Sitting Members), sworn; examined by Serjeant *Ballantine*; cross-examined by Mr. *S. Hill*; re-examined by Mr. *H. James.*

Mr. *Thomas Welles*, sworn; examined by Mr. *Henry James*; cross-examined by Mr. *Price*; re-examined by Serjeant *Ballantine.*

[Adjourned to To-morrow, at Eleven o'clock.

Friday, 20*th April* 1866.

Names of Members called over;—all present.

Mr. *Samuel Day*, sworn; examined by Mr. *H. James*; cross-examined by Mr. *Price*; re-examined by Mr. *H. James.*

Mr. *William Misson*, sworn; examined by Mr. *H. James*; cross-examined by Mr. *S. Hill*; re-examined by Mr. *H. James.*

Mr. *Henry Fullager*, sworn; examined by Mr. *H. James*; cross-examined by Mr. *S. Hill.*

Mr. *James Chambers*, sworn; examined by Mr. *H. James*; cross-examined by Mr. *S. Hill*; re-examined by Mr. *H. James.*

Mr. *Joseph Day*, sworn; examined by Mr. *H. James*; cross-examined by Mr. *S. Hill.*

Mr.

Mr. *Charles Ellis*, sworn ; examined by Mr. *H. James*; cross-examined by Mr. *S. Hill*.

Mr. *Neville Large*, sworn ; examined by Mr. *H. James*; cross-examined by Mr. *S. Hill*; re-examined by Mr. *H. James*.

Mr. *George Sankey*, sworn ; examined by Mr. *H. James*; cross-examined by Mr. *S. Hill*; re-examined by Mr. *H. James*.

Mr. *John Swinfen*, sworn; examined by Mr. *H. James*; cross-examined by Mr. *S. Hill*; re-examined by Mr. *H. James*.

Mrs. *Fanny Clark*, sworn ; examined by Mr. *H. James*.

[Adjourned to To-morrow, at Eleven o'clock.

Saturday, 21*st April* 1866.

Names of Members called over;—all present.

Mr. Serjeant *Ballantine* was heard on behalf of the Sitting Members.

Mr. *Price* was heard in reply on the whole case.

Room cleared. The Committee agreed to the following Resolutions :—

That William Lee, Esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Maidstone.

That James Whatman, Esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Maidstone.

That the Committee are of opinion that Henry Chambers, in his evidence before them, was guilty of wilful and corrupt perjury.

That it was proved to the Committee that colourmen and bands of music were employed by both parties at the last Election.

That it was not proved that corrupt practices have extensively prevailed at the last Election.

Parties called in, and informed of the decision of the Committee.

Mr. Serjeant *Ballantine* applied for costs.

The Committee refused the application.

Ordered, That the foregoing Resolutions be reported to The House.

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MINUTES OF EVIDENCE.

Tuesday, 17*th April* 1866.

MEMBERS PRESENT:

Alexander Dundas R. W. Baillie Cochrane, Esq.
Sir Francis Crossley.
Francis John Savile Foljambe, Esq.
Clare Sewell Read, Esq.

THE HONOURABLE CHARLES W. G. HOWARD, CHAIRMAN.

MR. RICHARD NAYLOR was called in; and having been sworn, was Examined by Mr. *Cooke*, as follows:

Mr. *R. Naylor.*

17 April 1866.

1. ARE you the deputy clerk at the Crown Office?—Yes.

2. Do you procure from that official depository a return of the last election of Members for the borough of Maidstone?—Yes.

3. And you also produce the polling-books, which were certified to you in the usual manner by the returning officer of that borough?—Yes, sent by post, I believe.

JESSE KIRBY was called in; and having been sworn, was Examined by Mr. *Cooke*, as follows:

Jesse Kirby.

4. ARE you an elector of the borough of Maidstone?—I am a Freeman of the borough of Maidstone.

5. And by that means you possess a right of voting?—Yes.

6. What are you in business?—I am a paper maker.

7. Have you been resident in Maidstone for some time?—Yes, all my lifetime.

8. Were you a registered elector for that borough at the last election?—Yes.

9. Some short time before the polling day, do you remember seeing Mr. Lee, one of the sitting Members, with Mr. Wells?—I did.

10. Where?—In High-street, opposite Mr. Lawrence's shop.

11. Where they together?—Yes, in a fly.

12. What is the Christian name of Wells?—Thomas Wells.

13. What is he by business?—A tailor; and Secretary to the Reform, or the Blues, in Maidstone.

14. I suppose they call themselves there Liberal, as they do elsewhere?—Yes.

15. Did either of them speak to you?—Yes, Mr. Wells called me.

16. What did he say to you?—He said, "Well, Jesse, we wanted to get hold of you;" Mr. Lee says, "You will vote for us;" I said, "No, I won't promise you."

17. Was anything said about a meeting going to be held?—Yes, they pressed me very much to promise them, but I would not do so; they then pressed me to come to the meeting on the following Friday.

18. Did they both press you?—Yes, Mr. Wells and Mr. Lee too.

19. That, I believe, is all that passed that day?—Yes, that was all.

20. Now, after that, did Mr. Samuel Day come to your house?—Yes, he did.

21. When would that be?—On the Monday following.

22. Would that be on the Monday before the meeting?—Yes.

23. What is Samuel Day?—A coal merchant.

24. Which party does he belong to?—He belongs to the Blues, the Whigs.

25. What is the other color?—Purple.

26. He came to your house?—Yes.

27. I believe he canvassed y ou?—He did.

28. For his party?—Yes.

29. The sitting Member?—Yes.

30. What answer did you make?—I told him I would not promise.

31. Did he tell you anything he had done?—He said he had promised for me.

32. What said you to that?—I said I had not promised him, and I should not let him promise for me, or words to that effect.

33. Did anything more pass?—He said, "I will make you all right; you go and vote for Lee and Whatman."

34. Are there many people of the name of Day in Maidstone?—Yes.

35. This is Samuel Day you mentioned?—Yes, he is the son of old William Day.

36. This Mr. Samuel Day you speak of is a coal merchant?—Yes.

37. Is there another Samuel Day?—No; there is

Jesse Kirby.

17 April 1866.

is William and Joseph, and I think there is a Thomas.

38. Is this gentleman you are speaking about the only gentleman of the name of Day who bears the Christian name of Samuel?—I believe it is.

39. He said he had promised for you, and would make you all right?—He said so several times, and I told him I would not promise him.

40. Was anything alluded to—how were you to be made all right?—He did not mention about money; but I understood that is what he meant; but I was to be sure to see him again. He said "Don't you vote till you see me again."

41. Had you at the previous Christmas received any beef?—No, I had not. I have received it from them once or twice.

42. That is, Mr. Lee's party sends beef at Christmas?—Yes.

43. Do both parties do so?—I never received any from the Conservative party.

44. Had they said anything to you about the Christmas beef?—No.

45. Was that all that passed on that Monday?—Yes.

46. On the morning of the poll were you passing near Samuel Day's office?—Yes.

47. About what time?—About six in the morning.

48. Did you see him?—He called me into his office.

49. What did he say?—He said, "Jesse, you go and vote, and I will make you all right." I said, "I shall not do any such thing; I don't understand being made all right." He said, "You know me; you go and do it, and I will make you all right." I said, "I shall not. What are you going to do?" He said, "I will send you to Ned Mason." But he said, "Don't you vote till you see me again."

50. Who is Ned Mason?—A brewer in Maidstone.

51. Were you afterwards in the course of the day at a place in Pudding-lane?—Yes, at the corner of Pudding-lane, in High-street.

52. Did anybody of the Day family speak to to you there"?—Old Mr. William Day, the father of Samuel. He came across to me and asked me if I had voted. I said no, I had not. He said, "You had better go and vote for us." I said, "No, I don't think I shall." He said, "Well, I think you are inclined to be our way." I said, "I don't know about that." He said, "Have you seen my son, Sam?" I said, "I saw him this morning." He said, "You had better go and vote, for I think you are inclined our way." I said, "I don't know that I shall vote at all." He said, "Well, what is it you want?" I said, "I don't know as I want anything." He said, "You had better say what you want." I said, "12*l.*" He said, "If you will wait here a quarter of an hour, I will send my son Sam to you, and he shall give it to you.'

53. Did you and Mr. William Day separate after that?—We did.

54. Did Mr. Samuel Day come to you afterwards?—Yes, in about 10 minutes, or a quarter of an hour; and was going to take me into his father's shop, but the door was locked; he took me into Mr. Steer's shop opposite, a tallow chandler's.

55. Did anything pass between you and Samuel Day, when you were in the tallow shop?—He said, "Now, Jesse, go and vote, and I will make you right;" I said, "No such thing, your father sent you here." He said, "You know me, you can depend on me, I will make you right." I said, "That won't do for me," he said, "Can't you take my word?" I said, "Not in electioneering matters." He said, "What is it you want?" I said "12*l.*" He said, "That is more than we give; we have been giving none of the rest more than 7*l.* or 8*l.*" I said, "I have heard talk of 15*l.* and 20*l.*" He said, "Go and vote, you shall have the money; meet me at the Haunch, and I will give it to you at 12 o'clock."

56. Did you then part?—Yes.

57. Did you go and vote as he proposed?—No.

58. Where did you go when you parted with Samuel Day?—I went to the committee-room.

59. Where?—The Bell; the Purple committee-room.

60. Did you afterwards go to the Haunch?—Yes, I went there at 12 o'clock, the time appointed.

61. When you got to the Haunch, did you see anybody belonging to the Days?—Yes Edward Bentley; I waited for William Day, and he brought me a note, which stated, I believe, "Mr. Day will be here directly," or words to that effect.

62. Reading that note, you were induced to wait?—Yes.

63. Did he come?—Yes, shortly after Mr Day sent for me out.

64. Which of them?—Samuel Day.

65. When he came, what said he to you?—He said, "Come in here, Jesse." I went into the back parlour underneath the committe-room, at the Haunch. He said, "Now, go and vote, and you shall have the money." I said, "I shall not do anything of the sort, unless I have the 'hard stuff.'"

66. I understand Bentley brought you that note?—Yes.

67. He being the servant of the elder Mr. Day?—Yes.

68. And having read that note, you waited?—Yes, and they sent for me again.

69. Do you know the handwriting of that note (*handing the same to the Witness*)?—Yes; I believe it is Samuel Day's writing.

70. What does it say?—"Samuel Day will be here directly."

71. You waited in consequence of that note, and Samuel Day did make his appearance?—Yes.

72. He then asked you to come into a room, did he?—Yes.

73. Did you go, there with him?—I did.

74. Now, you are going to tell us what passed in that room, between you and Samuel Day?—Yes; he said, "Go and vote, Jesse, and I will make it all right, you shall have the money." I said, "I shall not do anything of the sort, unless I have the money." He called out, "Ned;" a party of the name of Mason then came into the room.

75. Who is Mr. Edward Mason?—The brewer I mentioned before.

76. Is he one of the Blue party?—He is. Mr. Day spoke to him, and I heard him say, "12*l.*;" and Mr. Mason says, "Give it to him;" and then they went out together, and Bentley came in and said, "Now come on." I got up with him, and went into the High-street. I said, "Where are you

ou going to?" He said, "To see you vote, and ive you the money." I said, "If you can't rust me, I can't trust you." He said, "You ust come back then and see Mr. Day;" and ccordingly I went back. He went up to the ommittee-room and called Mr. Day down. He ame out into the yard, and he said, "Give it to im."

77. Who said that?—Mr. Samuel Day to Bentley. Bentley says, "Come in here;" and went into the parlor, and he gave me the 12 overeigns.

78. Immediately afterwards?—Yes, directly.

79. I believe having got that money, you went p and voted for the two other candidates?—Yes, nd took the money to the committee-room.

80. To the Purple Committee-room?—Yes.

81. You had been to the Purple committee-oom in the meantime, and told them what you were oing to do?—I told them I could have 12 *l.* from he Blues.

82. I believe you were told to go and get it?—No; I had heard a good deal about the purity f the Maidstone people, and I thought I would ry the strength of them.

83. During the canvass have you seen John Swinfan?—Yes; he is a gunsmith.

84. He is one of the Purple party?—No; he s one of the Blue.

85. Had he canvassed you for your vote?—He net me round the County-road; I think it was n the Monday or the Sunday.

86. I am told he is a member of the Town Council?—Yes; I believe he was on Mr. Lee's nd Mr. Whatman's committee; he was canvassing nost of the time.

87. You saw him canvassing often?—Yes.

88. What passed between you and Swinfan bout your vote?—He asked me how I was going o vote; I said, I did not know. I told him I vas in view of a situation, and did not know that should vote at all, and if I could get it, I should ot stop for any electioneering.

89. Did he say anything to you?—He pressed ne to vote for Lee and Whatman, and so on; nd he said in the course of the conversation we ad, "If a man is short of his rent, or anything f that sort, a few pounds are handy to him." I aid, "Well, Mr. Swinfan, I don't happen to owe ny rent just now." He said, "Have you seen Mr. Day?" I said, "I have." He said, "I will peak to Mr. Day myself;" I think those were he words.

90. Were you also canvassed by Mr. James Burgess, a paper-maker?—I was.

91. Was he a person taking a part in the elec-ion?—He took a very active part in paying the olormen, and all that sort of thing.

92. That is the colormen for the Blues?—Yes.

93. What said he, if anything, to you about our vote?—I met him on the Saturday previous o the election in Week-street, at the bottom of Brewer-street.

94. What was the day?—Saturday was the lay.

95. What did he say to you on that Saturday?—He said, "Will you vote for Mr. Lee and Mr. Whatman, or vote for us?" I believe that vas it. I said, no, I did not think I should. I aid, "I have got a quarter of oats, and I know ou keep a pony and cart, but I do not think I hall vote for Lee and Whatman."

96. Burgess is the man who keeps the pony nd cart?—Yes; he said, "I will give you 10 *l.* for the quarter of oats if you will vote for Lee and Whatman;" I said "I shall do no such thing, and you had better be careful what you are about, or you will get yourself into trouble."

97. Did he say whether you were to have the money then?—He said, "I will give you 5 *l.* now," and he put his hand in his pocket, and I could hear the money in his pocket; I said, "I shall not have it, and you had better be careful."

98. Did he ever speak to you again on that subject?—Yes, on the Monday following I was coming past his house, and he called me in, and then he said, "Now, if you will vote for Lee and Whatman, I will give you 10 *l.*; 5 *l.* now, and I will get you the other 5 *l.* from Billy Lee."

99. What day of the week did the polling take place?—On Wednesday, the 12th.

100. Did he produce any money on that occasion?—Yes, he said he would give me 5 *l.*; he put his hand in his pocket to give me the money, but I told him I would not take it, and that he had better be careful; and, more than that, he said he would get me a situation as well, a finisher's place in the paper mills.

101. I believe you had the county election after that; did you meet this Mr. Burgess?—Yes.

102. Had anything passed between you with reference to that quarter of oats?—Yes.

103. What was it?—To the best of my recollection he said that Samuel Day told him that some one told him that I took 10 *l.* from Joe Day, and I told him that was wrong.

Cross-examined by Mr. Serjeant *Ballantine.*

104. Is this gentleman you spoke of, who was so liberal, Mr. James Burgess?—Yes.

105. You told him he had better be cautious, or he would get into trouble?—I did.

106. How came you to say that; out of kindness?—Yes, it was.

107. It was entirely out of kindness?—It was.

108. Why did you not extend the same kindness to Mr. Bentley?—Because I did not feel disposed to do so.

109. You made a distinction?—Yes, Burgess was a fellow apprentice of mine.

110. You had a kinder feeling towards him?—Yes.

111. Bentley might get into trouble if he liked?—Yes, if he liked to be led by his master.

112. You waited upon him to get him into trouble?—No, I did not.

113. You coaxed him into it?—No, he coaxed me.

114. Who was the gentleman of the committee to whom you communicated this matter about the 12 sovereigns?—There was Mr. Dickenson.

115. Who is he?—I think he is a master printer in Maidstone.

116. You are quite sure you did not get the 12 *l.* before you went out?—Yes.

117. You feel perfectly certain of that?—Yes, I will swear that.

118. You went away with an empty pocket?—No.

119. You had not the 12 sovereigns?—I had not that 12 sovereigns.

120. Had you any 12 sovereigns?—I had some of my own.

121. How much?—I might have a few shillings.

122. Had

Jesse Kirby.

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122. Had you no gold?—I do not think I had.

123. Recollect yourself?—If I had it was my own.

124. You were trusted with a good deal of money?—Not a farthing of anyone else's.

125. Cannot you tell me whether you had any gold in your pocket?—I cannot; I might have had a pound or two.

126. Had you 30 *l.*?—No.

127. Will you swear you had not?—No.

128. Nothing like it?—No.

129. You got no money from the committee-room?—Not a halfpenny.

130. You have been for the Purples all your life?—Yes.

131. How many times have you voted?—I do not know whether it is four or five times, but something like that.

132. Always for the Purples?—Yes.

133. And you have been an extremely indefatigable supporter of the Conservatives, have you not?—I never took any great active part in it.

134. You have been getting up this petition?—I have been getting up some of it.

135. Have you ever been in these Committee-rooms before?—No.

136. Have you not been here before?—No.

137. Now about James Burgess; did you offer him 100 *l.* to come up and give evidence?—Never in my life.

138. Have you seen him since?—Yes.

139. Have you called at his house?—Yes.

140. What for?—He invited me there.

141. How did he invite you; by note, or what?—Verbally.

142. Do you mean he met you in the street?—I will tell you what he said, if you like.

143. Did you offer him anything?—Not a halfpenny.

144. Did you ask him to come and give evidence?—No.

145. Nothing of the kind?—Nothing of the kind.

146. Did not you suggest to him the propriety of giving evidence?—He suggested it to me.

147. He offered to come up and give evidence?—Yes; he said if he could get 400 *l.* or 500 *l.* he would come up and split against his side; he said he knew 25 or 30 cases, and he could prove bribery and agency.

148. I suppose you wanted to keep him out of trouble, and would not let him come?—I dare say he would have been ready if he could have got the money.

149. What advice did you give to him?—I never gave him any advice at all.

150. When he said he could prove all these things, what did you say?—I said, "Do as you like; I cannot get you that money."

151. How much could you get him?—Not a farthing.

152. You said, "I cannot get you that money;" what did he say to that?—He said if he could get it he would "round" on his party.

153. That is the opposite of "squaring" I suppose?—Going against his own side.

154. What did you say?—I left him.

155. Here was a man who said he could prove all sorts of things?—He said he wanted 400 *l.* or 500 *l.*

156. You know a man always asks more than he intends to take?—I do not suppose he would have been particular.

157. Did you tell him to go to Mr. Franklin?—No.

158. Did you ask him to go to Mr. Franklin?—No.

159. Did you communicate this to the people who were employing you?—I did.

160. Did you tell him to go to Mr. Goodwin?—No.

161. Do you know a person of the name of Rawlinson?—Yes.

162. Who were employing you?—When?

163. When you were calling on these other people?—I was not employed at all.

164. You said, "the persons who employed me"?—I beg your pardon.

165. Were you not employed?—No; not then I was not.

166. Have you been?—Yes.

167. In getting up this case?—I have had presents made me for getting up this case.

168. By whom?—By Mr. Goodwin.

169. Who is Mr. Goodwin?—A solicitor.

170. At Maidstone?—Yes.

171. He is the solicitor for the other party. How much have you had from him for getting up this case?—I might have had 10 *l.* or 15 *l.*

172. Do you mean to swear that is all you have had?—I should think that is about it.

173. When did you get the last?—About a month ago.

174. How much?—I think I had 5 *l.*

175. Do you mean to swear you have had nothing since that?—Not a farthing.

176. How much before?—I think altogether I might have had 12 *l.* or 15 *l.*

177. Have you followed any business since the election?—I have not had an opportunity.

178. What did you say you were?—A paper maker.

179. Where is your manufactory?—I worked for Mr. Hollingworth 22 years.

180. When did you leave it?—Some few years ago.

181. Have you carried on business since that?—I was living with Mr. Fowl, as huntsman.

182. Why did not you mention that. How long is it since you had anything to do with paper-making?—It may be seven or eight years.

183. Since that time you have had nothing to do with paper?—No.

184. When did you cease being the huntsman?—When Mr. Fowl sold the hounds, about 12 months ago.

185. Have you never been in the public line?—Yes.

186. You kept a public-house at Maidstone?—Yes.

187. When was that?—Seven or eight years ago.

188. Why, you were in the paper way?—No.

189. I thought, seven or eight years ago you were in the paper line?—It may be seven or eight, or it may be eight or nine years; I cannot say exactly.

190. How long did you keep the public-house?—About three years.

191. Did you keep a public-house at Rochester?—Yes.

192. I thought you had always lived at Maidstone?—I said that was my native place.

193. You said you had been resident all your life at Maidstone?—I have only been away from Maidstone

Maidstone and lost my vote once. I have only been out of Maidstone one election.

194. How long did you keep the public-house at Rochester?—About two years.

195. Is that the place where there was a little affair about a private still?—I never heard anything about it.

196. No visit from the excise?—No.

197. How came you to leave Rochester?—I let my business.

198. When?—I could not tell you exactly how long it is ago.

199. Had you a public-house at Chatham?—Never.

200. Had you a whitening manufactory at Hog-lane?—No.

201. You had a public-house at Rochester?—Yes.

202. When did you leave that?—I could not tell you the year.

203. Yes, you can; when did you give it up?—It might be four or five years ago.

204. What have you been doing since?—I have been in service.

205. What service?—Huntsman with Mr. Fowl.

206. Before you had the house at Rochester?—No, since.

207. When did you leave his service?—About 12 months ago.

208. What have you been doing since?—Nothing.

209. How have you been living?—Living on my means.

210. With the assistance of Mr. Goodwin?—Very little assistance that has been to me, 12 *l.* or 15 *l.*

211. What had you that for?—For helping to get up his evidence.

212. How much more are you to have?—I have never been promised a halfpenny, and never asked for anything.

213. You have no idea that you will get any more?—Not the least in the world.

214. Did you promise any money to Mr. Rawlinson?—No.

215. Did you promise any to Mr. Pearson?—No.

216. Did you promise any to Mr. Fullinger?—No.

217. Did you promise any to Mr. King?—No.

218. Did you promise any to Mr. Woollet?—Not one of them.

219. These were people who were most of them voters for the Blues?—I don't know.

220. Did you ask them to come up and give evidence?—No.

221. Not one of them, on your oath?—No.

222. Do you know Charles Rawlinson?—I do.

223. Did he talk to you about the petition?—I think he did.

224. What did you say?—He was talking about the petition, and I said I had heard Mr. Goodwin had sent him 5 *l.*, and had laid it on the trough in the bake-house.

225. Which Goodwin is that?—John Goodwin, the builder, one of the Blues.

226. What did you say that to him for?—I was trying to ascertain whether he had had it or not.

227. What did he say?—He did not say that he did not, and he did not say that he did; he said, "Come up again, and I will tell you."

228. Did you go again?—No.

229. Why did not you go again?—Never mind; I will not tell a story if I can help it.

230. You need not give yourself a character; why did you not go again?—I thought it was not worth while.

231. Why; you were getting up evidence?—Because I believe it was told other people that he did have the money.

232. Rawlinson looked half yes and half no; why did not you follow it up?—I believe he told other people.

233. Why did not you go and ascertain it?—I did not feel disposed to do so.

234. Was he a brother apprentice?—No.

235. You never went again?—I do not think I did.

236. How came you to see him at all about it?—I heard he had money from the Blues, and I went to see him.

237. Who told you?—I think Tye, his son-in-law, or some relation.

238. Did you have any conversation with George Pemble?—Not about the election.

239. Have you said anything to him since the election?—No.

240. Did you go to Clark's with Pemble?—No.

241. Did you ask Pemble to go to Clark's?—No.

242. Did you ever see him there?—I think I have.

243. Did you have any conversation about the election?—No; I think we talked about a running match he had on.

244. What about Jonathan Pearson; did you ask him to come up and give evidence?—No.

245. Had you any conversation with him about the election?—I had.

246. What did you say to him?—He told me that he had had a promise from Mr. Lee.

247. That is one of the members?—Yes; and Mr. Wells had given him money.

248. You were getting up the case?—He told me that.

249. You were getting up the case?—Not at that time.

250. When was it?—That was some time ago.

251. Did you ask him to come up?—He wrote it down himself; he volunteered himself.

252. Did anything pass to make him remember his statement, so that he should not forget it?—I do not know.

253. Did you write it down?—I think he wrote it down himself.

254. What did he do with it?—I believe he gave it to Mr. Goodwin.

255. Your Mr. Goodwin?—Yes.

256. Did you see him?—I will not be positive whether he gave it to me or Mr. Goodwin.

257. You are sure he gave it to one?—I think he did.

258. You swear he wrote down this statement and gave it to one of you?—Either he gave it to me or Mr. Goodwin, or Mr. Clarke gave it to me.

259. Do you adhere to it that he gave it to you or Mr. Goodwin?—I believe he gave it to him.

260. Will you swear he gave it to him?—I will not swear, but I believe he did.

261. What did you do with it?—I believe Mr. Goodwin has got it.

262. What did you do with it?—I will not be positive whether he gave it to me.

 263. Which

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263. Which do you think?—I think he gave it to me.
264. Did you give him a sovereign?—I never did.
265. Did you give him anything?—Nothing at all.
266. Did anything pass between you and him about an old beer score?—Nothing.
267. Nothing of the kind?—No.
268. Do you know Clark, a beer-shop keeper?—Yes.
269. Did you pay Clark a sovereign?—No; I never paid him a halfpenny.
270. Did you pay him any portion of a sovereign for Pearson for a beer score, and give Pearson the change?—Never in my life.
271. Or to the wife, Mrs. Clark?—Never.
272. Do you know people of the name of Sanctow?—Yes.
273. Did you give them 26 *l.*?—I never gave them anything.
274. Did you offer them 26 *l.* to vote for the Purple?—Never.
275. Offered them nothing?—Nothing.
276. Did not Charles Sanctow receive 13 *l.* from you?—Never.
277. In point of fact, you never paid anybody to vote?—Never had anything to do with it.
278. You actually paid nothing at all to either of the Sanctows?—Not a farthing.
279. Do you know Reader?—Yes; John Reader, a tailor.
280. Have you been talking to him about this petition?—I dare say I have; I do not know whether I have or not.
281. Did you offer him anything to come up?—Never.
282. Did you tell him if he came up he would have a lump of coin?—Never in my life.
283. You will swear that nothing of the kind passed?—I will swear it.

Re-examined by Mr. *Price.*

284. When was it that you were first employed by Mr. Goodwin to see the witnesses in this case?—It might be two or three months ago.
285. Was it before you were employed by Mr. Goodwin that you saw Jonathan Pearson?—Yes, a long time.
286. After you had seen him, you say you got a statement from him?—He either gave it to me or to Mr. Goodwin.
287. Do you recollect when that was; how soon after he first talked to you?—I think it was shortly after the election.
288. Did you see him in Mr. Goodwin's presence at all?—I do not think I did.
289. And you say that you never gave him a sovereign, and you never paid the beer score?—Never.
290. Has Mr. Goodwin ever given you any money to give him?—Never.
291. Now, about this 5 *l.*; Rawlinson, you say, told you——?—No, he did not tell me; Tye told me.
292. Is Tye his son-in-law?—I do not know; he is a relation, I think.
293. What did Tye tell you?—He said that young Goodwin brought 5 *l.*, and laid it on the trough in his father's bake-house.
294. Who is Goodwin?—A "Blue," belonging to the Blue party.
295. Have you given money to any of the witnesses that you have seen, for their evidence at any time?—No, never at any time.

Mr. William Henty, was called in; and, having been sworn, was Examined by Mr. *Stavely Hill*, as follows:

Mr. *W. Henty.*

296. Are you a Carpenter, living at Maidstone?—Yes.
297. And you reside there, do you?—Yes.
298. Were you a voter at the last election?—Yes.
299. For whom did you vote?—For Mr. Lee and Mr. Whatman.
300. Do you know the last witness, Jesse Kirby, by sight?—Yes.
301. Did you see him on the polling day?—Yes.
302. That was Wednesday the 12th of July?—Yes.
303. Did you see him at the "Haunch of Venison" on that day?—Yes.
304. Were you in there before he came?—No.
305. Where were you; where did you see him first?—I was in High-street.
306. Was there a committee at the "Haunch"?—Not that I am aware of.
307. You saw Jesse Kirby come there, did you?—I went in with him.
308. Who was with you?—A man of the name of Fuller.
309. What room in the "Haunch" did you go into?—I do not know what room they call it; it was a drinking room.
310. Was it one of the front rooms?—Yes.
311. After you had been in there for some time, did a person of the name of Bencliff come in?—Yes, I believe he did.
312. What did you see; did you see Bencliff do any thing?—He called Kirby on one side, and gave him a letter.
313. Did Fuller say anything to you about this letter?—Yes.

Mr. Serjeant *Ballantine.*] Who is Fuller; we cannot have this?

314-5. Mr. *S. Hill.*] Did you see what became of Bencliff and Kirby?—No, they went out of the room.
316. What time of the day was this?—A little after one o'clock, perhaps.
317. On the polling day?—Yes, on the polling day.

Cross-examined by Mr. Serjeant *Ballantine.*

318. Do you know Samuel Day?—Yes.
319. Do you know his handwriting?—No.
320. Had you known Jesse Kirby long?—No.
321. Was he very active in this election?—I do not know.

John

JOHN FULLER, was called in; and, having been sworn, was Examined by Mr. *Price*, as follows: *J. Fuller.*

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322. ARE you a Fruiterer and Charcoal Burner at Maidstone?—Yes.

323. Do you recollect the polling day at the last election?—Yes.

324. Were you going up High-street about 11 o'clock on that day?—Yes.

325. Who did you see in the street as you were going along?—I saw Mr. Kirby and old Mr. Day.

326. Where were they?—They were up against Mr. Steer's shop.

327. Did you go to speak to them?—No.

328. Where did you go to?—I went up the street.

329. Where did you go afterwards?—I went afterwards into the "Haunch."

330. Who was with you?—Mr. Henty.

331. The last witness?—Yes.

332. After you got in did you see any one else come in?—Yes, there was a man of the name of Bentcliff came in.

333. Did you see Kirby come in?—Yes, he came in with me.

334. You, Henty, and Kirby came in together?—Yes.

335. You say that a short time afterwards you saw Bentcliff come in?—Yes.

336. Did you see anything done by Bentcliff?—Yes, I saw a piece of paper.

337. What did he do with it?—He looked at it, and tore it, and put it into his pocket.

338. Who did that?—Kirby.

339. What did you see Bentcliff do with the paper?—He handed it over to Kirby.

340. And then you say you saw Kirby do something with it?—He made a sort of tear, as if he would tear it, and put it into his pocket.

341. Just look at this piece of paper and tell me whether this is the piece of paper (*handing a piece of paper to the Witness*)?—I could not swear to it.

342. But does that tear appearing there make you think it is the same paper?—It looks something like it, but I could not swear to the paper.

EDWARD JOHN DICKINSON, was called in; and, having been sworn, was Examined by Mr. *S. Hill*, as follows:

E. J. Dickinson

343. ARE you a Stationer residing at Maidstone?—I am.

344. Was there at the last election a "Purple" committee-room in King-street?—No; in Week-street.

345. Was there a committee-room in King-street; a committee-room at the Bull?—There was a committee-room at the Bull in Week-street.

346. Were you there on the polling-day; in the Bull?—I was.

347. What time of day was it when you were there?—I was there pretty nearly all day.

348. Did you see Kirby come to the committee-room on that day?—I did.

349. What time was it when you saw him come there?—Between 12 o'clock and 1 o'clock.

350. What did he bring with him?—He brought some money.

351. And what did he do with the money?—He handed it to me.

352. Did you count it?—I did.

353. How much was there?—Twelve sovereigns.

354. Did he leave the money with you?—No.

355. But you did something with it, did you not; what did you do with it?—I handed it to one of the clerks.

356. Do you know Samuel Day's handwriting?—Yes.

357. Will you look at that note and say whether you believe it to be in his handwriting (*handing a piece of paper to the Witness*)?—I think it is; I cannot say for certain.

358. You speak only as to your belief; do you believe that to be his handwriting?—I have seen his handwriting several times; it is uncommonly like it.

Cross-examined by Mr. Serjeant *Ballantine*.

359. When have you seen Samuel Day write?—I do not know that I ever saw him write; I have had communications from him in writing.

360. Often?—Perhaps a dozen times.

361. How long have you known him?—About 10 or 12 years.

362. Now, look at that writing; do you mean to say that you believe that to be his handwriting?—I am not in a position to swear to it.

363. Now, do you undestand the question; do you mean to say that you believe that to be in his handwriting; do you mean to pledge your oath that, to the best of your belief, that is his handwriting?—I will certainly not pledge my oath that that is his handwriting.

364. You say that the 12 sovereigns were handed to you; were they?—Yes.

365. And by you handed to whom?—To one of the clerks.

366. "One of the clerks" is so exceedingly indefinite, you know?—I will give you his name if you wish it.

367. Pray do then?—Mr. William Pearson.

368. Is he here?—I have not seen him.

369. Do you know what became of the 12 *l.*; did it go to the charities of the town?—I cannot say.

370. Who is William Pearson?—He is a gentleman living in Maidstone.

371. That again is rather vague; what is he?—He is clerk to a solicitor, I believe.

372. That again, you see, is indefinite; there are a great many solicitors in Maidstone; who is he clerk to?—Messrs. Beale & Hoare.

373. You know that he is?—Yes.

374. Is he any relation to Jesse Kirby?—That I have not the slightest knowledge of.

375. That you do not know?—No.

376. What was the money given to him for?—I gave it to him, because he was one of the clerks.

377. Do you mean to say that you handed over 12 *l.* to him, merely because he was a clerk?—He was very near to me.

378. Then, am I to understand that you handed it over to him, because he was the nearest

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nearest to you?—I should have handed it over to some one.

379. I am not imputing that you would have kept it, but as I understand you, you handed it over to him, because he was the nearest to you?—He was standing by at the time.

380. And you handed it over to him, because he was standing by?—Do you wish the answer without any qualification?

381. No, you may qualify it as you like, only answer my question?—He was taking an active part in the election, and he being the nearest person standing to me, I gave it to him; had any other person occupied a similar position, I should have handed it over to him.

382. What did you say when you handed to him this 12*l.*?—I do not recollect.

383. You must have said something; what did you say to him?—I should not have any hesitation in putting 1,200*l.* into his hands, if I had it.

384. No doubt you would not to a gentleman, whom you believed to be a solicitor's clerk. But what did you say when you handed it to him?—I put him in communication with Kirby immediately; and both of them then left me.

385. Put him into communication with Kirby! Do you mean to say that this money was to go from you to the clerk, and from the clerk back to Kirby?—I know nothing about that.

386. Why did you put him into communication with Kirby?—Because I thought that Pearson was the more proper person to deal with it than I was.

387. If your story is true, as I understand you, Kirby gave you the 12*l.* Then why did you put the clerk into communication with Kirby?—Because I did not want to have anything more to do with it.

388. Not for the purpose of Kirby getting the money back?—I know nothing of that.

389. What did Kirby hand the money to you for, if it was to come back to him immediately afterwards. I am curious, rather. Why did Kirby hand the money to you if it was handed to him again?—I do not know that it has gone back to him.

390. What did Kirby hand the money to you for?—I cannot tell.

391. Try. I know Maidstone very well, and people do not meet you in the street, and put 12*l.* into your hands for nothing. What did he hand it to you for?—As a sort of convincing fact that he had got the money.

392. It was to convince you that he had got the money?—Yes.

393. What did you give it to the attorney's clerk for?—To convince him that it had passed through my hands.

394. To convince him that you had got it?—That is a very tangible way of putting it.

395. Was it so; you must know?—It was so.

396. Why was he to be put into communication with Kirby?—To convince him that Kirby had got it; because I considered that if it was necessary to take any steps in the matter, Pearson was a more suitable person than I am.

397. Why did you put him into communication with Kirby?—I have given you every reason I had; I am aware of no other reason.

398. Was Kirby an active man?—I do not know.

399. Have you no idea?—Not the slightest.

400. What were you doing?—Watching the progress of the polling, as one of the committee.

401. Was it on the polling day that this occurred?—Yes.

402. Can you give me any idea what has become of that 12*l.*?—No; not the slightest in the world.

403. Never had any idea?—No; I was very glad to get rid of the dirty material.

404. Do you call 12*l.* "dirty material"?—I do indeed, when it is applied in that way.

405. You were so delighted to get rid of the "dirty material," that you got rid of it immediately?—Yes.

406. You did not mind Kirby being made dirty by the "dirty material," nor the attorney's clerk?—No.

407. They might make themselves as dirty as they pleased, as long as you were not concerned in it?—It was no matter of mine.

Re-examined by Mr. *Price.*

408. As regards the handwriting upon that piece of paper, I think you say that you believe it is his handwriting; that is your belief?—Yes.

409. By the *Committee.*] Was Pearson a clerk?—No; he was merely there as a matter of curiosity, as being one of the Conservative party, I suppose he was anxious.

410. Why did you give him the 12*l.* unless he filled some official post?—He is generally what is called a prominent man; I am not a prominent man, and I handed it over to him, thinking he was the proper person.

411. Was he in a position to hear what was said when Kirby came into the room?—Both he and Kirby walked away; what transpired afterwards I have not the slightest knowledge of.

412. Mr. *Price.*] You are quite sure about the money?—Yes.

413. Are you sure about the amount?—Yes.

414. Why?—Because I counted it.

415. Are you sure that Kirby spoke to you when he handed you the money?—Yes.

416. You are quite certain of that?—Yes; I am quite certain; the affair was done in a moment, as it were; it was done instantly.

WILLIAM HENRY GIBBON, was called in; and, having been sworn, was Examined by Mr. *Staveley Hill,* as follows:

W. H. Gibbon.

417. ARE you an Attorney's Clerk?—I am.

418. Were you in the Bull committee-room on the following day?—Yes.

419. Did you see Kirby come in?—Yes, I did.

420. What did you see Kirby do?—He came and brought something in his hand, which he afterwards put out upon the table, and it was 12 sovereigns.

421. To whom did he give that?—To Mr. Pearson.

422. Did you see that in Pearson's hand?—I did.

423. And

423. And did you see that money counted out?—I saw it counted out.

424. Do you recollect who counted it out?—It was counted by Mr. Pearson.

425. You think it was counted by Mr. Pearson?—Yes.

Cross-examined by Mr. Serjeant *Ballantine*.

426. I want to see whether I quite understand this transaction. What are you; what did you say you were?—A solicitor's clerk.

427. Whose clerk?—Clerk to Messrs. Beale and Hoare.

428. Is that the same service that Mr. Pearson is in?—Yes.

429. Are Pearson and Kirby relations?—Not that I am aware of.

430. Kirby came into the room?—Yes.

431. And produced this money?—Yes.

432. To whom do you say he handed it?—To Mr. Pearson.

433. You saw him do it?—Yes.

434. That you swear?—Yes.

435. You have no doubt about it?—Yes; he gave him the money.

436. Do you swear that he gave him the money?—Yes; to the best of my recollection, he did give him the money.

437. Do not talk about "the best of your recollection;" do you believe he did?—Yes.

438. Did you see him give it to him?—He brought it in, and put it on the table before him, and Pearson took it up.

439. That you swear. Do not nod your head, but answer the question; do you swear that?—Yes.

440. Now there is no mistake about it. You can make no mistake, can you; I will give you plenty of time to consider; there can be no mistake about it, can there; what do you say; you swore it glibly enough to my learned friend; is it true, or is it not?—It is true.

441. You swear positively that it was put upon the table, and taken up by Mr. Pearson?—Yes.

442. That you swear positively?—Yes.

443. You have no doubt about it?—No.

444. Do you swear that positively. If you have no doubt about it, you can swear it positively?—To the best of my recollection, that was so.

445. Have you any doubt about it?—No; it was the current talk in the room afterwards.

446. Never mind the current talk in the room; I am talking about what you saw. Are you telling us the current talk in the room, or something which you yourself saw; now which is it? (*No answer.*) Are you only telling us what was the current talk, or was it something which you saw yourself?—I saw him giving the money to Mr. Pearson.

447. There is no doubt about it; when he gave him the money, what did he say to him?—I do not know. *W. H. Gibbon.* 17 April 1866.

448. What was Mr. Pearson to do with it?—He was sitting in the room at the time.

449. He was sitting, was he?—Yes.

450. What was he doing?—He was working in the committee-room.

451. He was not there merely as a visitor?—He came in and ticked off some of the voters.

452. Do you mean to swear that he was working in the committee-room?—He came in and ticked off some of the voters' names.

453. Do you swear that he was working?—That is working, ticking off the names.

454. He was working?—He did that during the day.

Re-examined by Mr. *Price*.

455. You say, "to the best of my recollection." Have you a clear recollection as to how the money was put down, and to whom it was given?—I believe it was put down to Mr. Pearson.

456. Did you see Mr. Dickinson there?—Yes; he was there.

457. Was he standing close by at the time?—He was at the other side of the table.

458. The other side of the table from whom?—From me.

459. On which side of the table were you when Kirby came in; how far were you from Pearson?—I was on the same side of the table; not very far from him.

460. Did Kirby come up opposite to you?—Yes.

461. As I understand, Dickinson was standing opposite the table?—Dickinson was standing opposite to me. Kirby was on the same side as Pearson was.

462. Were there a good many people present?—No, not many.

463. What was being done at the time?—We were ticking off voters' names.

464. What makes you say you have not a clear recollection about it?—I was very busy at the time.

465. With what?—With ticking off the voters.

466. Was that your duty, ticking off the names?—Yes.

467. You were busy about that?—Yes.

468. Are you sure about the money being put down?—Yes, I am certain of that.

469. You are certain?—Yes.

470. There was some talk about it afterwards?—Yes, it was talked of afterwards in the room.

William Newport was called in; and, having been sworn, was Examined by Mr. *Price*, as follows:

471. Do you live at Maidstone?—Yes.

472. Were you employed at the last election?—Yes.

473. What to do?—To canvass.

474. Who were you employed by?—By Mr. Wells.

475. You were employed by Mr. Wells to canvass for whom?—For Messrs. Lee and Whatman.

476. How many days were you engaged upon that work before the election?—About 10 days. *William Newport.*

477. Do you remember the polling-day?—Yes.

478. Were you in the High-street a little before 11 o'clock on that day?—Yes.

479. Do you know a man named Kirby?—Yes.

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480. Did you see him anywhere in High-street?—I did.

481. Where did you see him?—Opposite Mr. Steer's shop.

482. Did you speak to him?—I did.

483. What did you say to him?—I asked him if he was going to vote for us.

484. What did he say?—He said he did not know.

485. What did you say?—I said that if he would wait a minute I would send somebody to him.

486. What did he do?—He stopped there, and I went across to Mr. W. Day's.

487. Did he say anything to you before you went away as to how he was going to vote; what did he say when you asked whether he was going to vote for you; what did he say to that; come, out with it; what did he say?—I asked him if he was going to vote for us, and he said that he did not know; that is what he said.

488. Did you then say to him, "Wait a minute, and I will send somebody to you"?—I did.

489. Before you said that did you ask him whether he wanted anything?—I did.

490. What did you say?—I said, "Do you want anything?"

491. What did he say to that?—He said he did not know.

492. Did you go anywhere after that?—Yes, I went across the road to Mr. Day.

493. Which of the Days?—Old Mr. Day.

494. Did you say anything to old Mr. Day?—I spoke to old Mr. Day, and old Mr. Day said "You go and fetch my son Sam."

495. I must go by steps; I must first ask you, what did you say to old Mr. Day?—I said, "Jesse wants squaring."

496. I believe Kirby's Christian name is Jesse?—Yes.

497. Is that what you said exactly?—It may be. They were words to that effect.

498. Did you say anything to him about his vote?—I don't suppose I did.

499. Did you ask him whether he had voted?—No, I don't know that I did.

500. Did you tell Mr. Day whether he had voted or not?—I told him, "Kirby had not voted."

501. What did old Mr. Day say to you?—He said, "You go and fetch my son Sam."

502. Did he tell you where to go for his son, Sam?—He told me to go down to the Bull.

503. Was the Bull one of the committee-rooms of Lee and Whatman?—I believe it was.

504. Did you go to the Bull?—I did.

505. Did you find Sam there?—No.

506. Did you see a man of the name of Robert Swayne there?—Yes, I did.

507. I cannot ask you what you said; but, in consequence of that, did you go with Mr. Swayne to the Haunch?—We came down to the Haunch.

508. Did you find Sam there?—Samuel Day was there. He came out of the Haunch at the same time.

509. Did you see Samuel Day go anywhere at that time?—I left them at that point, and afterwards I saw Mr. Samuel Day with Kirby. I saw Samuel Day, in company with Kirby, walking down the High-street.

510. I must ask you a few names of persons whom you must know, being a canvasser. Do you know a Mr. Charles Arkcoll?—Yes.

511. Was he a person who canvassed for Lee and Whatman?—Yes.

512. He was a canvasser?—Yes.

513. Do you know whether he was on a committee?—I believe he was.

514. George Edmett?—Yes.

515. Do you know him?—Yes.

516. Was he a canvasser?—Yes.

517. Was he upon a committee?—Yes.

518. Joseph or Joshua (I don't know which it is) Stanger?—Joseph Stanger.

519. Do you know him?—Yes.

520. Was he also upon a committee and a canvasser?—Yes.

521. Thomas Chambers?—Yes.

522. William Misson?—No, not the whole of the time.

523. Was he latterly on the committee?—I could not say whether he was on the committee.

524. Was he a canvasser?—He came once or twice during the time we were canvassing, but not during the whole of the time.

525. He came once or twice, when you were doing, what?—Canvassing.

526. Who was present of the same party when he was canvassing; you say that he came once or twice when you were there; who were there. Was there either or both of the candidates?—Both of the candidates.

527. John Smythe, was he there?—He was there, too.

528. Was he a committee man?—I could not say that.

529. John Kierman?—I think Mr. Kierman did not attend the whole of the time.

530. Do you think he was there now and then?—I don't think he was there once.

531. Mr. S. D. Webb, was he a canvasser?—He was.

532. Was he a committee man?—I cannot say.

533. Old Mr. Day, was he a canvasser?—Yes.

534. And took a very active part?—Yes.

535. Frederick Cohen?—Mr. Cohen was there.

536. Is there also a William Day, junr. as well as senr.?—Yes.

537. Was Mr. William Day, junr., also a committee man and canvasser?—He was canvassing, but I cannot say whether he was a committee man.

538. Frederick Cohen, do you know him?—Yes.

539. Did he canvass?—He was there sometimes, but he did not take a very active part.

540. Do you know whether he canvassed in company with the candidates?—I believe he did.

541. Mr. Railton?—Mr. Railton was there: both of the Railtons.

542. Railton, senr., and Railton, junr.?—Yes.

543. Were they there often?—They were generally speaking there always.

544. Were they members of the committee?—I could not say, but I believe they were.

545. Horatio Cutbush, do you know him?—Yes.

546. Was he a canvasser?—Yes.

547. John Swinfen?—Yes.

548. Now there are three names I have got here to which I have not the Christian names attached. There is a gentleman of the name of Baverstock:

verstock; do you remember him?—I don't nember him.

549. Then there is a gentleman of the name of lputt?—I could not say.

550. Mr. Grensted?—I do remember Mr. rensted; I could not say anything about his ing on the committee, only as to his can-ssing.

551. Do you know Mr. Kemp?—Yes.

552. Did he canvass?—Yes.

553. Do you know Mr. Cubitt?—Yes.

554. Do you remember Mr. Cubitt canvassing? I could not say.

555. Jacob Powell?—He was canvassing at e time.

556. How many committee-rooms had Messrs. ee and Whatman?—There were four ward mmittee-rooms and the central committee-om.

557. Was the central committee-room at the of Gabriel's-hill?—Yes.

558. Do you remember the gentlemen who re at the central committee-room associated gether as a committee on the day of the elec-n?—I cannot say that I recollect all of them; recollect some.

559. Do you recollect Mr. Arkcoll being there the day of the election?—At the central com-ttee-room?

560. Yes?—I know that I saw him once ring the polling-day.

561. You saw him there once?—Yes.

562. Did you see Mr. Stranger?—I believe he s at one of the committee-rooms, but not at e central.

563. Mr. Kemp?—Mr. Kemp was at the aunch.

564. You did not see him at the central com-ttee-room?—No.

565. Was Misson there?—He was in and out.

566. In the central committee-room?—Yes.

567. There was a committee at the Haunch, s there, for the High-street Ward?—There was.

568. Do you recollect who were there during at day; did you see a gentleman of the name Mr. Joseph Day on that day?—He was in and t during the day.

569. Was he in and out during the polling y?—Yes.

570. Thomas Wells?—He was there, too.

571. In and out?—Yes; I should think he s.

572. Did you see Mr. Lee there at the Haunch the polling-day?—I did not see him.

573. Did you see Samuel Day there?—No, I not; not in the committee-room; I saw him tside.

574. Did you see old Mr. Day there?—Yes.

575. And young William Day?—Yes.

576. Was there a committee also at the Bull Lee and Whatman?—There was.

577. Was Mr. Grensted one of the leading en upon that committee?—Yes, he was.

578. Mr. Railton, junior?—I would not say; believe he was at the Haunch.

579. Was there a gentleman of the name of gate there?—Yes.

580. Was he at the Bull?—Yes, he was.

581. Was Mr. Cutbush upon the Bull's com-ttee?—No; I think Mr. Cutbush was at the e of the High-street; at the central committee-m.

582. Did you see Mr. John Swinfen acting on h Bull committee?—Yes, I saw him there.

201.

583. Did you see Mr. Misson?—I did see Mr. Misson once or twice during the day.

584. Did you often see Mr. Lee and Mr. Whatman in that committee-room?—I have seen them there.

585. There were some other committee-rooms which I have not asked you about; can you tell me where they were?—There was one at the Globe and one at Tookey's, for the West Borough.

586. By the *Committee.*] Is that a public-house?—Yes.

587. Mr. *Price.*] Is there a William Misson who is a freeman of the borough of Maidstone?—There is.

588. Does he vote in the King-street Ward?—I believe so.

589. Was he a gentleman who was on the King-street Ward committee—Lee and Whatman's?—Yes; he was in the Bell several times

590. The Bell is the committee-room for the King-street Ward?—Yes.

591. You say, I think, that he canvassed; were you about with Mr. Misson a good deal during the election?—Yes.

592. Canvassing?—Yes.

593. Do you know Thomas Bishop, of St. Faith's, a beer-seller?—Yes.

594. Did you canvass him?—We went to him.

595. Did you canvass him alone first?—I went to him once or twice.

596. What did he say to you when you asked him for his vote?—He said he did not know.

597. Did you speak to Misson afterwards?—Yes.

598. Did you tell Misson what had passed between you and Bishop?—We had some conversation about Bishop's vote.

599. What did Misson say to you?—He spoke to me about Bishop, and I can say that I did not.

600. I must trouble you to tell us what he said about Bishop; you tell us that something took place about Bishop's voting?

Serjeant *Ballantine* objected to the question upon the ground that Misson was not in any way shown to be an agent, or suggested to be an agent, by any of the evidence brought before the Committee.

Mr. *Price* was heard in support of the question.

Serjeant *Ballantine* was heard in reply.

Mr. *Price* stated that Misson was at the Bell on the day of the election, and taking an active part in it, and in corroboration put the following question to the witness:

601. Did not you say you saw him in the committee-room?—I saw him in the committee-room, but I could not say that he was on the committee. There were a number of men in and out of the committee-room on that day.

602. By the *Chairman.*] Are you acquainted with the members of the committee?—I could not say that I know the whole of the gentlemen, but they are mostly living in Maidstone.

The *Chairman* stated that the Committee were of opinion that there was not at present any proof of agency.

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603. Mr. *Price.*] Did you afterwards see Bishop yourself?—Yes.

604. You had a conversation with Bishop; I do not ask you what that was, but did you afterwards see Bishop yourself?—Yes.

605. And did you have a conversation with Bishop?—I did.

606. About his vote?—I did.

607. Did you see William Day?—William Day, junior.

608. I am going to ask a question, and my friend may object if he thinks fit, and I must take the opinion of the Committee. Do not tell me what passed, but did anything pass between you and William Day, junior?

Serjeant *Ballantine* objected to the question on the ground that William Day, junior, was not proved to be in such a position as to bind the sitting Members.

Mr. *Price* stated that he would waive the question for the present.

609. Just let me ask you who employed you at the last election?—Mr. Wells.

610. Who paid you for your services?—Mr. Wells.

611. Did you attend every day the canvassing party?—Yes.

612. Do you remember the day after the polling being with Mr. Wells and Mr. Allputt at the Bell?—I was at the Bell.

613. The day after the polling?—Yes.

614. What were you employed to do upon that day?—To warn the whole of the messengers and cheque takers, to attend at the Bell, to receive their money.

615. That is before the polling?—No, after the polling.

616. To attend to what?—To attend at the Bell to receive the money they were to have.

617. Were you present when they were paid?—Yes.

618. Did you pay any of them yourself?—Yes, we were not ——

619. Did you, that is the simple question?—I was going to explain.

620. Can you answer the question?—I was going to explain that, as to those who were not present; Mr. Wells gave me the money to go round and pay them, because they were not there.

621. By the *Chairman.*] To pay whom?—The cheque clerks and messengers.

622. Mr. *Price.*] And you did pay those?—Yes.

623. With the money which Mr. Wells gave you?—Yes.

624. Did you ever discuss election matters during the election?—We have spoken about it several times.

625. I called it discussing. Do you remember having a conversation with him particularly, any time in April, about a Thomas Wills?—Yes.

Mr. *Price* stated that he proposed, having proved that this gentleman was a canvasser, to go on to prove what passed upon this occasion.

Mr. Serjeant *Ballantine* stated, that before taking the objection, he must cross-examine upon the evidence already given.

626. Mr. *Price.*] I will ask you how much were you paid altogether?—I could not say exactly; I was paid at different times.

627. How much altogether?—I could not say altogether; about 7 *l.* or 8 *l.*, I should think.

628. By the *Committee.*] For your service?—Yes.

629. Do you remember how much was given to you to pay away?—Yes; the cheque clerks had one sovereign, and the messengers 7*s.* 6*d.*

Cross-examined by Mr. Serjeant *Ballantine.*

630. What do you say you were paid a day?—I did not say what I was paid a day.

631. I will not go into that at present. You were not a canvasser, you were only employed as a messenger?—Yes.

632. That was all?—Yes.

Mr. *Price* requested the Committee to refer back to the first answer of the witness.

The shorthand writer read the questions and answers as follows:—"Q. Were you employed at the last election?—A. Yes. Q. What to do?—A. To canvass."

633. Mr. Serjeant *Ballantine.*] You have heard that read, and now, having heard the first answer which you gave, I ask you, what were you employed for; you say that you were employed to canvass?—There was not a word said about messenger at that time.

634. Were you employed to canvass?—Yes.

Mr. *Price* stated that he proposed having proved that this gentleman was a canvasser, to go on to prove what passed upon this occasion.

Mr. Serjeant *Ballantine* objected to any such evidence being given.

635. By the *Committee.*] What age are you?—Four and twenty.

Mr. *Price* was heard in reply.

The Committee-room was cleared.

After a short time the Counsel and parties were called in, and informed by the Chairman that the Committee had decided in favour of the objection taken by Mr. Serjeant Ballantine, and that Wm. Newport had only hitherto been proved to be a special agent, and not an agent by whose acts the sitting Members could be affected.

Further Examined by Mr. *Stavely Hill.*

636. You said that you had been paid by Wells at different times to the extent of how much?—£7. or 8 *l.*

637. For what was that money paid to you?—Upon the first occasion it was for canvassing.

638. When?—About two days after the canvassing was finished.

639. Was that before the election?—Yes.

640. How long before the election?—About three weeks.

641. When was the next payment of money to you?—After the election.

642. Do you recollect what money was paid to you after the election?—Well, I could not say, perhaps, to 5*s.*, but I should say a little over 3 *l.*

643. You

643. You were saying that you met Mr. Wells on the 5th of April?—On one day.

644. That was the 5th of the present month?—I believe it was.

645. And you had some conversation with him?—Yes.

646. What was that conversation about; what was the subject of that conversation?

647. Mr. Serjeant *Ballantine.*] You mean this gentleman.

Mr. *Hill.*] Yes.

The *Witness*] He asked me whom I could best recommend to get Wills out of the way; using his own expression.

648. By the *Committee.*] To get who out of the way?—Mr. Wills.

649. Mr. *Hill.*] Wells is the agent, and Wills is the elector?—Yes.

650. Did you recommend anybody to him?—Yes.

651. Who was that?—Mr. Robert Ford.

652. Had Mr. Wells said anything to you on the previous occasions with reference to Wills?—We had some conversation with regard to his turning round.

653. What did Mr. Wells say to you?—He asked me whether I thought he would, and I said, yes, I was sure he would.

654. You were sure he would go round?—Yes.

Further Cross-examined by Serjeant *Ballantine.*

655. Now we must endeavour to get a little clearly what Wells said to you about Wills, and just be a little cautious; what do you say he said; first of all, when did he say anything to you?—Do you mean on the first occasion, or on the last occasion.

656. We will first of all go to the first occasion?—Why, I met Mr. Wells.

657. When?—I could not say, perhaps two months ago.

658. What?—Yes.

659. What do you mean, two months ago?—Yes, two months since.

660. Am I really to say, two months ago?—Yes.

661. It is well to be cautious?—Yes.

662. You say two months ago?—Yes, I should say so.

663. Where?—On Gabriel Hill.

664. In Maidstone?—Yes.

665. What did he say to you?—He asked me what news there was. I told him that they had presented a petition.

666. What did he say then?—What did he say then?

667. That is my question, and do not repeat it. What did he say then?—He said there was something of the sort going on, or words to that effect.

668. Who said that?—Wells.

669. You were good enough to inform him about the petition, and he seemed not to have heard about it?—He knew about it.

670. Well now, go on?—I said, "I am afraid that Wills will turn round."

671. You said so. It was you that first mentioned Wills's name, was it?—Yes.

672. And you said, "I am afraid that Wills will turn round"?—Yes.

673. Well, go on?—And Mr. Wells said to me, "I should have thought he was an honest sort of man."

674. Go on?—He said, "I should have thought he was an honest sort of man," and he said, "If private individuals like to give anything it is nothing to do with me." *William Newport.* 17 April 1866.

675. He said what?—He said, "If private individuals like——"

676. To do what?—"Like to give anything, it is nothing to do with me."

677. Was that a suggestion that you, as a private individual, should spend some of your funds?—Not at all.

678. You were not the private individual alluded to?—No.

679. Go on?—That was the principal part of the conversation.

680. What was the meaning of it?—I do not know what the meaning of it was.

681. You cannot tell me what the meaning of it was?—The conversation was about the election.

682. That is the first time that you are now speaking of?—Yes.

683. Now, what took place on the second occasion?—I met Mr. Wells opposite the barracks, and he stopped me, and I said, "Good morning, Mr. Wells," and he said, "Walk along with me," and I walked along, passed the barracks, and he asked the question which I repeated just now.

684. Then be so good as to repeat it again. Give it us again if you remember it?—He asked me "Who best I knew to recommend to get Wills out of the way"—"who was best interested," I think, was his term, although I do not know he said to me that he has turned or not.

685. Did you tell him?—I recommended Mr. Ford to him.

686. Who is Mr. Ford?—Mr. Robert Ford.

687. What is he?—He is a plumber at Maidstone.

688. When was that?—About the 5th of April.

689. Was that before or after you had turned?—Turned?

690. Yes, for you have been giving information to the other side. When did you first give information to the other side?—I could not say to a day when it was.

691. But you will before I have done with you; when was it?—About the time that I did.

692. That was about the same time that you did?—Yes.

693. So that Mr. Wells happened to have this conversation with you about the same time that you were betraying your side?—Yes.

694. You were lucky to have the conversation about the same time?—I do not know that I was very lucky.

695. Was it before or afterwards?—About the time.

696. No, no, you could not have been telling the story somewhere about the same time the story was occurring?—All people's memory is not the same.

697. A thing occurs at one time, and the thing is told another; they cannot both occur at the same time; does not that fact occur to your mind?—It was about the time.

698. Was it before or after?—I could not say whether it was before or after.

699. Was it on the same day?—No; I should not say it was.

700. Was it the day before or the day after?—I could not say.

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701. You could not say whether the day before or the day after?—No.

702. Who was the person on the other side whom you were communicating with?—Mr. Goodwin.

703. You communicated with somebody before him; we know a little about it; he was not the first; come, out with it, for I shall get it out before I have done with you?—Mr. Goodwin.

704. I tell you that he was not the first?—Mr. Kirby.

705. Oh! it was Jesse who prevailed on you to abandon your principles?—I have answered you once.

706. Now, pray pardon me; one likes to have it well fixed on one's mind?—Certainly.

707. When did you tell Jesse?—I could not tell exactly.

708. It is only this month, you know; you would not have done it without a great deal of persuasion; I dare say it took him a long time to persuade you, I am sure; did it not take him a long time?—No.

709. Do you mean to say you did it at once?—I did not say I did it at once.

710. How long did it take him to persuade you?—It might have taken him a day or two.

711. Jesse was persuading you for a day or two?—I do not know that he was.

712. Was Jesse persuading you for a day or two?—Yes.

713. Hard work it was for him?—Yes.

714. I suppose at first you stuck to your principles like a man?—I might have done so.

715. Did you?—Yes.

716. You would not betray your party?—I do not say that I would betray them.

717. You refused him at first?—I have betrayed them.

718. I know you have; but I want to know a little of the way in which it was brought about. Did you do it at once?—No.

719. Did you require a good deal of persuasion?—I might have done so.

720. Did you?—Yes.

721. You did?—Yes.

722. Jesse cannot help you, now. It is no use looking in his direction. You cannot find any succour there. Jesse cannot help you now, whatever he may do hereafter. Where did the persuasion take place?—It might have taken place in the public street.

723. I know it might; but where did it take place. You know where it took place?—Different places in Maidstone.

724. Name some of them?—In the streets; different places.

725. I happen to know Maidstone, and you can tell me where it took place?—Yes; I have seen you there.

726. Tell us where it took place?—Where in Maidstone?

727. Where?—In different houses in Maidstone.

728. You said different houses?—Well, I have met him in different streets.

729. And in different houses?—Yes.

730. Just give us the name of the houses in which this persuasion went on?—I have met him at several places in Maidstone. If you want to know one I will tell you.

731. If you please?—The Rose and Crown for one place.

732. Now tell me another?—There were several places where we might have called at and had a glass.

733. Where they got up the petition?—Not to my knowledge.

734. Where else have you seen him?—I have seen him at the Star.

735. Where else?—We might have been at other places, and had a glass.

736. I suppose it was not dry work?—No, and it was not very wet.

737. You might have had a glass at other places?—Yes.

738. I suppose you are not very much ashamed of it—rather proud?—I do not know much about being proud.

739. How much did you get for it?—How much?

740. I want to know how much you value your principles at in pounds, shillings, and pence. How much did you get for it. Do not put it too low, for your own character?—I have not had anything.

741. I do not suppose you have; but how much are you going to have?—I do not know.

742. How much has Mr. Goodwin promised you?—Nothing at all.

743. How much did Jesse promise you?—Nothing at all.

744. What are you to have?—(*No answer.*)

745. You know you will not like facing the Maidstone people after this, and after having nothing. You must get something for it; how much are you to get?—(*No answer.*)

746. Do you mean to say that nothing has been said about it?—(*No answer.*)

747. Upon your oath, do you mean to say that nothing has been said about it?—It might have been said.

748. What was said?—What was said?

749. Yes?—Kirby never promised me anything.

750. But who did?—He is a stranger to me.

751. Who promised you; we are getting it out bit by bit; they will pay you well for this, I know; how much are you to have?—I do not know.

752. Who promised you; not Mr. Kirby, you say?—I do not say that he promised me or anyone else.

753. You said, "Not Mr. Kirby;" who was it?—It was a gentleman in Maidstone.

754. But everybody is a gentleman in Maidstone; who was it; out with it?—I do not know.

755. You do not know; I have really a great deal to do, and I wish you would answer the question; who was it?—Well, they tell me ——

756. No; no "theys" for me; who was the gentleman in Maidstone who told you; put that pen down and answer the question; who was the gentleman at Maidstone who told you; I shall get it, I assure you, before I have done with you?—Mr. Frost.

757. There, I told you I should get it; who is Mr. Frost; he is at the Rose and Crown?—Yes.

758. What was he to give you; what did he promise you?—They told me if I wanted to do myself any good I had better do it at once.

759. Oh! if you wanted to do any good you had better do it quickly?—Certainly.

760. And what was the good, pray, that you were to do yourself?—To better myself.

761. There are two modes of bettering one's self; one mode you certainly have not taken; what

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what mode were you to take; if money was meant and not character; you did not expect to better yourself in character by betraying your party; it was money, was it not?—No, it was not money.

762. Then what was it if it was not money; what could they give you but money?—They could give me something else besides money.

763. What?—(*No answer.*)

764. Will you answer the question?—(*No answer.*)

765. Do you intend to answer the question?—They said they could get me a situation.

766. Give you a character for a situation?—I did not say so.

767. Get you a situation; was that what you said?—Yes.

768. Who was to get you a situation?—I don't know.

769. What situation was mentioned; I am a little in the secret, you know, and I will have it?—You will, if I tell you.

770. Some one has been telling your story, you see; I could not have guessed all this; what was the situation?—I do not know.

771. You have an idea?—No, I have not.

772. You have not an idea?—No.

773. Was it a teacher at a school?—No.

774. Instructor of public morals?—No.

775. What was it; you must know?—I don't know.

776. What are you fit for; you were with your grandfather once?—Yes.

777. How came you to leave him; was it something to do with the till?—It might have been.

778. Having something to do with the till, and having left your grandfather in consequence, what situation were you fit for?—That was seven or eight years ago.

779. I dare say it was; you began early, you know; what was the place you were to get?—They did not tell me any place.

780. Didn't you ask them?—They promised me a situation.

781. What situation?—I don't know.

782. How much were you to have in the situation?—They did not tell me.

783. Did not you ask; there are some situations which I imagine you would not take; it was not one of these situations?—I don't know.

784. You know these little affairs of the till sometimes put you in a situation which is not very profitable; what was the situation of profit that you were to get?—I don't know.

785. Did you ask the amount?—No.

786. Did they tell you the amount?—No.

787. Did they say how much?—No.

788. Nothing of the kind?—Nothing of the kind.

789. You are quite sure?—Yes.

790. Now you said "they;" who were the other persons?—When did I say "they"?

791. Just now you said "they;" who were you referring to?—Why, Mr. Frost was the mover of it.

792. Mr. Frost is not in the plural; who was there besides Mr. Frost; you have been saying "they" all through?—We have had some conversation.

793. Who are "they"?—Mr. Frost and I.

794. No; that would be "we;" I want to know who are "they;" come, out with it; now, you know, that you and I have made up all little matters; do you believe that you will get this situation now?—Yes.

795. You hope so?—Yes.

796. And you believe you will?—Yes.

797. Have you no notion what it was?—No.

798. Were you told not to ask?—No.

799. Then why did you not ask?—Because I did not think proper to ask.

800. Who are "they"?—When I speak of "they," I mean Mr. Kirby and Mr. Frost.

801. Then Mr. Kirby and Mr. Frost are the persons who have destroyed your principles by the promise of a place?—I don't say altogether that.

802. Had you any other motive?—Sir!

803. Had you any other motive in coming and giving evidence except the promise of a place?—No.

804. You told me Kirby promised you nothing?—He did not promise me, but Kirby might have been present at the time.

805. I see how it is; Frost promised in Kirby's presence; are you to get anything but the place?—No.

806. That is all you expect?—Yes.

807. You have no notion what it is, or how much?—I don't know.

808. Is it at Maidstone?—I don't know.

809. Just one other question, because it is a matter upon which I shall have to say a word or two which may interfere with your getting the situation; do you mean to swear that you have received 7 *l.* or 8 *l.* from Mr. Wells?—I should say so.

810. Will you swear that you have received a farthing more than 3 *l.* 10 *s.*?—Let me see; yes.

811. I only want you to think well, and answer the question; do you swear that you have received more than 3 *l.* 10*s.*?—Yes.

812. How much will you undertake to say that you received?—I could not tell you.

813. Did you receive 4 *l.*?—Yes.

814. Did you receive 5 *l.*?—I think I did.

815. Will you swear that you received 5 *l.*?—Yes.

816. Will you swear that you have received 6 *l.*?—I could not say exactly the amount.

817. What age are you?—24.

818. What are you?—I am a confectioner by trade.

819. Have you got a shop?—No; I had one many years ago, but I could not make it pay.

820. No, I suppose not; what have you been doing since?—I have not been doing anything since the election.

821. That is not what I am asking you; what have you been doing since you left the pastry-cook's shop?—I have been living at home with my father.

822. Doing nothing?—No, except when I was hopping.

823. And except the prospect of this situation, you have got nothing to do?—Yes, sir, that is so.

Re-examined by Mr. *Hill.*

824. You say that you received this sum for yourself, but what amount did you receive for the purpose of paying the messengers you spoke of before?—There was a sovereign; for myself, do you mean?

825. How much did you receive for the purpose of paying messengers and check clerks that you

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you spoke of just now?—Well, I should say about 2 *l.* 1 *s.*

826. Did you properly pay that over as you were directed?—Yes.

827. So that whatever they may say about the grandfather, they did not raise any objection upon that account to giving you the money?—No.

828. Is there any reason for suggesting that you were brought up before a magistrate for any robbery?—Never.

829. Was there anything wrong?—There might have been something wrong, when I was a youngster.

830. You were never brought up for it?—No.

Mr. Serjeant *Ballantine.*] No; because it was his grandfather.

831. Mr. *Hill.*] And they knowing it employed you as a fit person to be entrusted with money?—Yes.

Mr. Serjeant *Ballantine.*] They did not know it.

832. By the *Committee.*] How much do you say that you received from Mr. Wells?—Well, I could not say exactly, but I should think it was quite 5 *l.*

833. For your services?—Yes.

834. How many days were you employed?—I was employed during the canvass; Mr. Wells called me in.

835. How many days were you employed?—About 10 days.

836. Does the 5 *l.* you have mentioned include the money that was paid to you after the election?—Yes; it includes the whole.

837. Was there any arrangement made with you about how much a day you were to be paid?—No; Mr. Wells said he would give me five and twenty shillings a week after we had finished the canvassing; before that Mr. Wells gave me 30 *s.* for canvassing, and he asked me whether I was satisfied, and I said I was.

838. When you spoke to Kirby, you say that you asked him whether he wanted anything?—Yes.

839. Is that a usual question for people to put to voters in Maidstone; is it a usual question?—No, it is not a usual question.

THOMAS WILLES was called in; and, having been sworn, was Examined by Mr. *Hill*, as follows:

T. Willes.

840. Do you live at Maidstone, and are you a bootmaker?—Yes.

841. How long have you been on the register of Maidstone as a voter?—Two years.

842. Did you vote at the last election?—Yes.

843. For whom was it your intention to vote in the first instance?

Mr. *Henry James* objected to the question.

844. Mr. *Hill.*] Did you promise anyone in the first instance your vote?—Wardlaw and Betts.

845. Did you on the morning of the election go out of your house, and is your house in Albion-place, Maidstone?—Yes.

846. In going down King-street, did you meet a person of the name of Reeves?—Yes.

847. Is Reeves the "boots" at the Haunch?—Yes.

848. You had some conversation with him which I will not go into, and did you then go down to the polling place in King-street?—Yes.

849. You did not vote there, did you?—No.

850. Where did you go to from there?—I went to a public-house, the Nag's Head, in Week-street.

851. Was there a committee-room at the Nag's Head?—Not that I am aware of.

852. Did you meet there a man of the name of Agate?—Yes.

853. And did you go with Agate to a place called the Bower Inn?—Yes.

854. You had some conversation with Agate, and some drink at the Bower Inn?—Yes; I had something to drink with him.

855. Who paid for that?—Agate paid sometimes, and then me.

856. How long did you remain at the Bower Inn with Agate?—About two or three hours, to the best of my knowledge.

857. And after that did you come towards the town?—Yes.

858. Did you then meet a person of the name of Folputt?—Yes; me and Agate, but Folputt did not go.

859. Where did you and Agate go to?—To the committee-room.

860. By Mr. *Henry James.*] Where was that committee-room; was it at the corner of High-street?—Yes.

861. Mr. *Hill.*] Is that the one we have called Gabriel Hill committee-room?—Yes.

862. What became of you when you got to the committee-room?—I staid downstairs while Mr. Agate went upstairs to the committee-room.

863. How long was Agate up stairs in the committee-room?—It might be a quarter of an hour.

864. Did he then come down to you?—Yes.

865. Did any one else come down with him?—Not at that time.

866. Did you remain there for some few minutes?—I remained there, and then he went up again.

867. At last he came down, and did some one come down with him?—The second time.

868. Who came down with him?—A man of the name of Misson.

869. Wm. Misson?—Yes.

870. What became of you and Wm. Misson and Agate?—We went to a beer-shop in the Fair Meadow; we walked down the High-street and got into a fly, and we drove round a couple of streets, and we went into a beer-shop in the Fair Meadow.

871. And when you got there, where did you go to?—We went into the back room.

872. Where did you go to with Misson?—Into the back room of the beer-shop in the Fair Meadow.

873. Had you seen Misson before this?—No.

874. Did you know him?—No.

875. Did you see Misson at any time on that day in the committee-room?—I did not.

876. In none of the committee-rooms?—No, I was

was not in the committee-room myself, and therefore could not see him.

877. Was this the first time you saw him when he came down stairs with Agate?—Yes.

878. Was that house at the time being used for any other purpose except for that of a committee-room, do you know?—Not that I am aware of.

879. Do you know whether it was so or not?—I am not sure; I know it was hired some time back, but I don't know whether it was hired at the time of the committee for any other purpose.

880. How long did you stay inside of this beershop that you say you went into, in the fair meadow?—About half an hour.

881. Were you and Misson and Agate together during that time?—Yes.

882. Did you have anything to drink there?—Yes.

883. Where did you go to from there?—We came up to the town, and Misson went away and came back again, and went into a back room beyond this other back room where we were before, and took me there.

884. Went into the other back room at the back of the porter room?—A sort of kitchen, and there he offered me 8 *l.*?

Mr. *Henry James* stated that he understood that it was not the intention of Mr. Hill to offer any further evidence respecting the agency of Misson, and that the question now arose whether any evidence was to be given as to what Misson had done.

Mr. *Hill* stated that he was not putting the question with respect to any conversation between the Witness and Misson, but simply as to acts done, and that he should be able at a later stage to connect those acts alone in a certain way with the sitting members.

Mr. *James* stated that the bribery must consist of two things, either of an offer of money in words, or of an act done in giving the money; that the effect of the proposed evidence was to bind the sitting members, and that the Committee were asked to receive that evidence without having any proof that Misson was an agent of the sitting members.

The *Chairman* stated that the Committee were of opinion that the proposed evidence might be given.

885. Mr. *Hill.*] You say that you were there together, and you told me some room that you were in; I did not quite catch what sort of a room you said it was?—It was a sort of scullery at the back of the drinking room.

886. Where he did what?—Where he gave me the money.

887. In what house?—In the beershop in the Fair meadow.

888. What did Mr. Misson do there?—He offered me 8 *l.* and I wanted more, and he said that was all he could give. He said that was all he had got for me.

Mr. Serjeant *Ballantine* objected, and stated that the Witness was now going into conversations which he submitted were quite contrary to the decision of the Committee.

Mr. *Hill* was heard against the objection.

Mr. Serjeant *Ballantine* was heard in reply.

The *Chairman* stated that the Committee were of opinion that they should not interfere with the proof of bribery which the learned Counsel wished to bring forward.

889. Mr. *Hill.*] You say that he said this to you, and that you said it was not enough. What did he say?—He said that was all he had got for me.

890. What did he then give you?—He gave me 8 *l.*

891. What was it in—in what coins?—In sovereigns.

892. Was anything more said at the time that he gave you the eight sovereigns?—No.

893. What became of you then?—I left there after having had something to drink with Agate. Agate and Misson went together, and I left them together.

894. Where did you go to?—I went to various places, and in the evening I met with Mrs. Peters.

895. Before we come to the evening, I want to know this. Did you go down and vote?—Oh, yes; I went and voted previously to getting the money.

896. And then they brought it down, and gave you the money in this back room?—Yes.

897. For whom had you voted?—Lee and Whatman.

Cross-examined by Mr. *Henry James.*

898. Thomas Willes; is that your name?—Yes.

899. Did you ever pass by any other name?—No.

900. Never?—No.

901. Never in your life?—Never.

902. You told my friend that you had promised to vote for Mr. Betts and Mr. Wardlaw; did you not promise to vote for Mr. Lee and Mr. Whatman?—I did say to a friend that I thought I would go Lee and Whatman's way.

903. Did you not promise that you would vote for Lee and Whatman?—I said I would; it was a verbal promise.

904. When was that?—It was some weeks before the election.

905. Did you intend to keep your promise at the time?—Yes.

906. And you never altered your opinion?—No.

907. You always intended to vote for Lee and Whatman?—Previously to the election.

908. What did you mean by telling my friend that you had promised to vote for Betts and Wardlaw?—I said on the morning of the election that I thought of voting for Betts and Wardlaw.

909. Did you promise to vote for them?—Yes.

910. Who should you have voted for if you had not got any money?—I had intended that morning to vote for Betts and Wardlaw.

911. What caused you to alter your opinion?—Receiving the money.

912. Receiving the money from whom?—Receiving the money from Mr. Misson.

913. You told me that you intended to vote for Lee and Whatman, and on the morning of the election you promised to vote for Betts and Wardlaw. What caused you to alter your first

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intention of voting for Lee and Whatman?—I really cannot say.

914. What caused you to alter your intention?—What was given to me.

915. By whom?—By Misson.

916. What made you change your intention of voting for Lee and Whatman, for whom you say you had intended to vote, and then caused you to say that you would vote for Betts and Wardlaw, because Misson did not give you the money until the middle of the day. What caused you to alter your intention of voting?—Well, I don't know.

917. Just think; had you seen anybody?—Yes; there was a female friend of mine who asked me.

918. That is Mrs. Peters. I am going to ask you about her presently?—Yes.

919. She is a lady whom you saw immediately afterwards?—Yes.

920. You saw her both before and after you had seen Misson?—Yes.

921. Did you show her the money which you had got from Misson?—Yes; she asked me what I had got, and I told her.

922. Did you tell her who you were going to vote for?—She asked me.

923. She asked you to vote for Betts and Wardlaw. Has she great influence over you?—Not particularly.

924. Are you a married man?—No.

925. You are one of the persons who have been stopping at Lincoln?—I went down to see a friend.

926. Who was that friend?—Mr. Shirley, who keeps a shop in Lincoln.

927. Where did you stop?—At his house.

928. Was Kirby there?—No.

929. Was he at Lincoln at the time?—No.

930. Was a man named Carter there?—Yes.

931. And a man named Shirley?—Yes, there, was a bevy of his went down.

932. Were they all voters of Maidstone?—I believe they were.

933. Had they all friends at Lincoln?—I do not know that Carter was a friend of Shirley.

934. Were they all in the same house with you?—Yes.

935. Who found you the money to go with?—I found my own money.

936. You went to see your friend?—I went with my friend to Mr. Shirley.

937. Who is a voter?—Yes.

938. How long has this Shirley been at Lincoln—the person you went to see?—Some years.

939. What time elapsed since you last saw him before you went to Lincoln?—It was along of a friend of mine that went with me. He was going down to see a friend, and I accompanied him.

940. Then Shirley was going to see a friend and you accompanied him?—Yes, he asked me if I would go, and I said I would.

941. The man at whose house you went to stop at, you had never seen in your life?—No.

942. What made you go and stop at his house?—On account of my friend going.

943. So that you, being an anatomical bootmaker in Maidstone, left your business, and went to stop at the house of a person whom you had never seen in your life?—He was going to Lincoln, and I was rather slack in business, and he asked me to accompany him, and I said I would. He kept lodgings, and was in the habit of taking in lodgers.

944. Did you pay them for what you had?—Yes; I paid for everything I had.

945. Did Mrs. Peters go with you?—Yes; I asked her to go with me.

946. Now, wait a moment. This was the lady who canvassed you for Betts and Wardlaw?—Yes.

947. How long had you known Mrs. Peters?—About two years and a half, or three years.

948. Did she ask you to go to Lincoln, or did you ask her?—I asked her.

949. Is she a married woman?—No; she is a widow.

950. Did not you, sir, and that woman occupy one bed-room?—No.

951. Upon your oath, will you undertake to swear that you never occupied the same bed-room while you were at Lincoln?—Yes.

952. Were you never in her bed-room?—Yes; I have been in her bed-room; but not to stop, in the daytime.

953. Did she not pass there as your wife, and bear the name of Mrs. Willes, and had she not been so addressed in your presence?—Never.

954. Was she called Mrs. Peters?—Yes.

955. Always?—Yes.

956. By you and by the persons who kept the house?—Yes.

957. And never bore your name?—Sometimes persons calling upon Mrs. Peters have called her Mrs. Willes, because they know we are engaged to each other.

958. Did you ever contradict it, and say that she was not Mrs. Willes?—Sometimes.

959. She is engaged to be married to you?—Yes.

960. That is so?—Yes.

961. You have had no money, I presume, from any one since the election?—No.

962. Not a farthing?—No.

963. You have paid for everything out of your own pocket?—Yes.

964. How long did you remain in Lincoln?—About a week.

965. Have you had no communication with Jesse Kirby?—No.

966. Not at all?—No; never.

967. Tell me, is that one of your cards (*handing a card to Witness*)?—That is one of my cards.

968. Look at the back of it, and read what is at the back?—"B. Cook, 7, Aldersgate-street."

969. Who is he?—He is a friend of mine, whom I have known for some years.

970. In whose hand-writing is that?—It is is not mine.

971. Whose is it?—I don't know.

972. If that dropped from Mr. Jesse Kirby's pocket, can you tell me how it came in his possession? Can you explain how that came into Mr. Jesse Kirby's possession?—No.

973. Have you been stopping at Mr. B. Cook's?—I called to see him.

974. Wait a moment; you came up to London, and you stopped at Mr. B. Cook's, whose address is there?—I called in to see him.

975. And that is the address of the person you called in to see?—Yes.

976. Have you had any communication with Kirby since the election?—No.

977. Not by letter?—No.

978. Never

978. Never seen him, probably?—No, never.

979. You have not the slightest idea how that got to Jesse Kirby, if it did get to him?—No, not the slightest.

980. Have you ever voted on an election before at Maidstone?—No, never.

981. By the *Committee.*] When you were canvassed, who did you promise to vote for?—The first time I promised to vote for Lee and Whatman.

982. And the second time?—For Mr. Betts and Mr. Wardlaw.

983. By Mr. *H. James.*] You were asked by Mrs. Peters to vote for them?—Yes.

Re-examined by Mr. *Hill.*

984. You were canvassed, you say, for Messrs. Betts and Wardlaw by Mrs. Peters?—Yes.

985. My friend has asked you about the conversation that you had with Mrs. Peters; will you tell us all that took place with reference to your voting for Lee and Whatman instead of voting for Betts and Wardlaw?

Mr. *Henry James* objected to the question, and stated that he had not asked a single question as to what was said to Mrs. Peters, that he had only asked him whether he had shown the money to her.

Mr. *Hill* was heard in support of the question.

Mr. *Henry James* was heard in reply. *T. Willes.*

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The *Chairman* stated that the Committee were of opinion that the question might be put if considered important.

986. Mr. *Hill.*] You showed the money to Mrs. Peters?—Yes.

987. What did Mrs. Peters say to you when you showed her the money?—She blamed me for not voting as I promised her in the morning.

988. That is, for Betts and Wardlaw?—Yes.

989. What reason did you give for having voted as you did?—I told her that they had offered me money, and that as I was in rather straitened circumstances I took it, and I gave her a portion not to say anything about it.

990. How much did you give Mrs. Peters of that 8 *l.*?—One sovereign.

991. Is there any reason for suggesting that you and Mrs. Peters are living in an immoral way, or on immoral terms?—We did it at one time, but not at present.

992. And are you and she under an engagement to be married?—Yes.

993. By the *Committee.*] Do you vote as a freeman, or as a 10 *l.* householder?—As a 10 *l.* householder.

994. What is the amount of the rent you pay?—I pay 23 *l.*

Mr. JOHN MONCKTON, was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

995. ARE you Town Clerk of Maidstone?—I am.

996. Do you produce the appointment of Thomas Wells, as agent for election expenses, under the statute, signed by Mr. Lee (I believe it is dated 8th July 1865), another signed by Mr. Whatman on the 10th of July 1865, and a request signed by Thomas Wells on behalf of Messrs. Lee and Whatman, to the returning officer requesting hustings, and so on?—Yes, the 10th July.

997. Have you also an abstract of the election expenses of the sitting members, signed by Thomas Wells, as their agent?—I have. *J. Monckton.*

998. Have you also some other documents which you have been asked to produce; a list of poll-clerks, &c.?—Yes; I will put the whole of the papers in.

999. I believe you want to get back to Maidstone?—I shall be glad to do so.

WILLIAM SWAN, was called in; and, having been sworn, was Examined by Mr. *Price*, as follows:

1000. Do you live at Scott-street, Maidstone?—I do.

1001. Are you a freeman?—No.

1002. An elector?—Yes.

1003. Do you recollect the last Maidstone election?—Yes.

1004. Do you recollect meeting any gentleman in front of the barracks?—Yes.

1005. About the time of the election?—Yes.

1006. How long before the election?—The very morning.

1007. The morning of the polling?—Yes.

1008. Did he point out any one else to you?—Yes.

1009. Who was that?—Mr. Swinfan.

1010. Is that Mr. John Swinfan?—Mr. Swinfan.

1011. Did he say John?—I think he did.

1012. Do you know Mr. John Swinfan?—When I see him.

1013. Was it Mr. John Swinfan?—Yes, and John Smith.

1014. Did he come to you?—I was close to him. *W. Swan.*

1015. Did Swinfan say anything to you?—The other did to me first.

1016. What did he say?—He said I was a poor man, and one of the voters.

1017. Who was the other man?—Mr. Misson.

1018. What did he say?—That I was one of the electors, and a poor man in need of a trifle, and the other asked me what I wanted.

1019. Swinfan did?—Yes.

1020. What did you say?—£.5.

1021. You said 5 *l.*; did you say what for?—No.

1022. Did Swinfan say anything to you?—He gave me a card with Mr. Lee and Mr. Whatman on it, and he said, "Go and give your vote for them, and come again and see me, and you shall have it."

1023. Was that before or after you said you wanted 5 *l.*?—After.

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1024. What did you do?—I went and gave my vote for Messrs. Lee and Whatman.

1025. A few days afterwards did you go to him?—It might be 10 days perhaps.

1026. What did you go to him about?—Because he told me to come to him.

1027. What was it you talked about; not the weather, I suppose?—I went and asked him for what he had promised me.

1028. For the 5*l.*?—Yes; and he said he did not know me till I gave him to understand who I was, and he said he could not do anything then; it perhaps might be a month or two.

1029. Did he say why?—Not then.

1030. Afterwards did he?—I went again.

1031. What passed then?—He said he could not do anything, because they talked of taking out a petition.

1032. A petition about what?—To unseat them in the House.

1033. To unseat Messrs. Lee and Whatman?—Yes.

1034. Was that all that passed then?—That was all that passed between him and me.

1035. Have you seen him since?—I saw him outside to-day.

1036. Not on this matter?—No.

1037. Have you got the card he gave you?—No, I have not.

1038. Where is it?—At home, at my house; I could not exactly drop upon it.

1039. You have not brought it up with you?—No; I have got it at home, but I could not exactly drop upon it last night.

1040. You looked for it, but could not find it?—I did so.

Cross-examined by Serjeant *Ballantine.*

1041. Swinfan said he knew nothing about you; he said it was all invention on your part?—Did he.

1042. Did he say so?—When.

1043. When you applied to him for money, did he say it was all invention?—He did at first.

1044. Did he say he had promised you anything?—Afterwards.

1045. Were you promised anything by the opposite party; by the Purple party?—I was.

1046. You were promised 10*l.*?—I was so; I shall not tell a story for one side more than the other.

1047. Did you write to Mr. Lee and try to get some money out of him?—No.

1048. Did you get somebody to write to Mr. Lee for you?—Stating what I had been offered.

1049. Did you get somebody to write to Mr. Lee to get money for you?—No.

1050. What then?—For a situation, if he could get me one; I did get a friend to write for me.

1051. Who was it?—A gentleman that was lodging at my house, that was mapping for a surveyor.

1052. What is his name?—I do not know that I can exactly call to mind now; but he was lodging there.

1053. That was with a view of getting a situation?—It was.

1054. Or to get money, which?—To get a situation if he could get me one, or put me into anything.

1055. When was it?—I hardly know now; but I think it is likely that the day of the month is on the letter.

1056. When was it, do you think?—I do not know what day of the month it was.

1057. Was it during this month?—No, it was a good while ago.

1058. How long ago was the letter written?—About two months.

1059. Was that after the petition had been talked of?—Oh, yes.

1060. Then you thought you would get a situation from Mr. Lee; have you heard from him?—He did not answer.

1061. When did you go to the other side?—I have never been to the other side.

1062. When did you go and give the evidence you have given to-day; did you go to Jesse Kirby?—I did not go to Jesse Kirby.

1063. Did Jesse Kirby come to you?—He did.

1064. Did you tell him this?—Yes.

1065. Immediately?—No.

1066. How long did it take to make you tell; how long was Jesse Kirby at work at you before you told?—I did not exactly keep it in mind.

1067. Did he take you to some public-house?—No, never.

1068. Where did you have a talk with Jesse Kirby?—As I was going home.

1069. Only once?—Two or three times.

1070. What are you to get for coming here?—Nothing at all that I know of.

1071. Do you mean to swear that you expect nothing at all for coming here?—I should not have come if I had not been summoned.

1072. You expect nothing for your evidence?—Nothing at all.

1073. What did Jesse Kirby say to you?—Jesse Kirby said nothing to me.

1074. Yes, he did?—No, he has not.

1075. Yes, he must?—He asked me what was offered, and I told him; he has said nothing to me about having anything.

1076. Who was it that offered you the 10*l.*?—William Short.

1077. What is he?—A green-grocer.

1078. Is he an agent of the Purples?—I do not know; I do not know what he is.

1079. For voting for whom were you to have the 10*l.*?—For Messrs. Wardlaw and Betts.

1080. After the election you write to Mr. Lee, you cannot get a situation, and you and Jesse Kirby come together?—We did not meet on that system at all.

1081. What did you meet upon?—Not on that; we never met at all; he fell in with me as I was going home from work; we never had any appointed meeting.

1082. I suppose you have been to Mr. Goodwin's office?—No, I have not; I have never seen Mr. Goodwin till this morning.

1083. Where have you been to?—Nowhere; and I defy anybody to say I have.

1084. You must have been somewhere?—I have been about my home.

1085. Did any influential gentleman from the other side importune you, by promises of a considerable amount, to become a witness?—No.

1086. Is that letter in the hand-writing of your friend; I see it is signed by you *(handing the letter to the Witness)*?—It is not my friend's hand-writing I think it was Mr. Hickens; he was mapping in Maidstone for some time.

1087. Is

1087. Is not that his hand-writing?—It may be; I cannot swear to his handwriting.

1088. Do you believe that is the letter he wrote?—It is like it; it may be.

1089. You know it is, do you not?—No.

1090. Do not you believe it to be?—I cannot swear to it.

1091. Is it true that any gentleman of the other side has promised you a considerable amount of money to become a witness?—No.

1092. That is utterly false?—That is false.

1093. If that was written, that was not by your authority?—No.

1094. Can you give me any notion why it was written?—No.

Re-examined by Mr. *Price*.

1095. You were always a friend of Messrs. Lee and Whatman?—That was the only time I voted.

1096. You were offered 10*l*. by the other side, you say?—I was.

1097. You did not vote for them?—No.

1098. You had an offer of 5*l*. from the others, and have never got it; and you voted for them?—Yes.

1099. You have been served with the Speaker's warrant to come here?—I have.

1100. I understand you to say that Jesse Kirby never offered you anything for giving your evidence here?—Not at all.

1101. By the *Committee*.] Do I understand you got the 5*l*.?—Not one farthing.

1102. You have been asked what you told some person to write to Mr. Lee. Did you tell him to write that Mr. Swinfan had promised you 5*l*.?—He did not mention Mr. Swinfan's name, because I told him not to do it.

1103. Did he tell Mr. Lee what had been offered?—He told Mr. Lee a certain sum on both sides.

1104. You say a friend wrote a letter for you. To the best of your recollection have you ever seen this letter before (*exhibiting a letter to the Witness*)?—If that is the one, I see it the day he wrote it.

1105. Can you read?—Yes.

1106. Did you read it over then?—No.

1107. You did not read it before he sent it?—No.

1108. Did he read it to you?—Yes.

1109. Is this the letter:—"5, Cambridge Square, Maidstone, 15th January, 1866. Honourable Sir, I beg to draw your attention to the following. At the last election I voted for you through principle, though offered 10*l*. by the opposite party. Promises were made to me on the morning of the election by your friends which I am sorry to say have not been fulfilled. My object in troubling you is to request you to procure me some suitable situation where steadiness and probity are required. An influential gentleman from the other side has importuned me, by promises of a considerable amount of money, to become a witness on their side. This is wholly repugnant to my nature, and have consequently repelled all overtures of the kind. Hoping you will favourably receive my application, I am, Sir, your obedient servant, Wm. Swan.—Wm. Lee, Esq., M.P." Did you tell your friend to write that?—No.

1110. Had you had offers at that time to give evidence on the other side?—No, I had not.

1111. When he read it over to you, do you remember his reading that passage about your having had offers from an influential gentleman on the other side?—I don't recollect it.

1112. By the *Committee*.] Why did you not take the 10*l*.?—Because I did not.

1113. It was against your principles?—It was so, at that time.

[Adjourned till To-morrow, at Eleven o'clock.

Wednesday, 18*th April* 1866.

THE HONOURABLE CHARLES W. G. HOWARD, IN THE CHAIR.

The Names of the Members were called over:—All present.

HENRY CHAMBERS, was called in; and, having been sworn, was Examined by Mr. *Price*, as follows:

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1114. ARE you a Master Blacksmith, living in Pudding-lane, Maidstone?—Yes.

1115. Are you a voter for Maidstone?—Yes.

1116. Do you know the Sun Inn, in High-street?—Yes.

1117. A few evenings before the election, were you at the bar of the Sun Inn in the evening?—Yes.

1118. About what time?—Well, I think about 10 o'clock.

1119. Was there a meeting there that night, do you know, of any party?—Yes.

1120. Which party?—The Liberals.

1121. Did you see either of the candidates there?—Yes.

1122. Which of them?—Mr. Lee; he was introduced to me.

1123. By whom?—There were a great many there at the time; they were just leaving the meeting.

1124. And they came past the bar?—Yes.

1125. And some of the people introduced you to him?—Introduced Mr. Lee to me.

1126. Was anything said to you when you were introduced about your vote?—Yes.

1127. Whom by?—Mr. Lee.

1128. What did he say about your vote?—He wanted me to vote for him.

1129. Do you know the Days?—There were some of the Days there.

1130. You do not know which?—I do not.

1131. What did you say about your vote?—I told him I could not vote for him.

1132. That is, you told Mr. Lee?—Yes; in fact, I believe I told him I should not vote at all; I did not think I should vote for either.

1133. You did not think you should vote for Mr. Lee, and not at all?—Yes.

1134. Did he do anything then with you?—He wanted to get hold of my arm, and would have called me on one side, but I did not go out with him.

1135. Did you then go away?—I remained at the bar.

1136. You went away after that?—Yes.

1137. You saw nothing more of Mr. Lee that night?—Not that night.

1138. When did you next see him?—I saw him next down High-street.

1139. How long after this meeting at the Sun?—I should think about a week, or a little more; I cannot tell exactly; he was going away by the train.

1140. Did he say anything to you then?—He came and put his hand on my shoulder, and said, "Old boy, you were very stupid the other night;" and I told him I was in the same mind then.

1141. Did he say anything else?—Yes; he wanted me to promise him my vote, and told me that if 20 *l.* or 30 *l.* were any use I could have it; and I said nothing would induce me to vote for him at all.

1142. Did he say anything about work on your premises?—Yes.

1143. What did he say?—He said that he would give me some work; and I said "You have got smiths' shops of your own now."

1144. Does Mr. Lee have smiths' shops for his business?—Yes.

1145. What is his business?—A lime burner, and cement works, and so on; and he keeps smiths' shops now on his premises.

1146. Did anything more pass?—He said he could do me a good deal of good, and he said, "Look what good I have done others in the town; I have given them a great deal of work." And I said, "You have got smiths of your own now;" but I told him nothing would induce me to vote for him.

1147. He was going by the train, you say?—Yes, I should judge so; he was going towards the station.

1148. You thought he was going?—Yes.

1149. Did you, after that, at any time, see any of the Days?—Well, I have seen them, but they never spoke to me anything about the election; of course they asked me; that is all, but never made no promises, or anything of the sort.

1150. A few days before the election, did you see Mr. Lee and Mr. Whatman again?—Yes.

1151. Where?—They came to my forge, where I was at work.

1152. What time?—I should say about 10 o'clock.

1153. By the *Committee.*] Did they come to you, do you say?—Yes, to my forge.

1154. What day was this?—Well, I should think about on the Thursday or Friday before the election week; I could not say which day.

1155. Mr. *Price.*] What time was it when they called at your forge?—Between 10 and 11; I believe, after 10.

1156. Morning or night?—In the evening.

1157. Who spoke?—Mr. Lee.

1158. What did he say?—He said, "What are your views to-night?" I then said, "Just as they always were."

1159. What was the next thing said, and by whom?—Mr. Whatman asked me for a vote, and I told him I could not vote for him; and he said, "Will 30 *l.* or 40 *l.* be of any use to you?" I said, "No; if I did vote, I should vote for the Conservatives; but I did not think I should vote at all."

1160. Did

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1160. Did Mr. Whatman do anything at that time?—Yes.

1161. What did he do?—He took some money out of his pocket, and offered it to me.

1162. How much?—It was two sovereigns, I found afterwards; I did not know what it was at the time; he took it out, and I would not take it. He said, "Here, get something to drink with this, it will do you good."

1163. Did Mr. Lee say anything at that time?—Mr. Lee said, "If he will not take it from you, he will take it from me; I have had a little talk with him before."

1164. What did Mr. Lee do, or what did he say?—He wanted me to take it, and I would not, and he put it into my slop-pocket.

1165. Did he say anything at the time when he did that?—He said, "You are a hard-working man, you will find a use for that in your family; take it, and get something with it."

1166. You found afterwards how much it was?—Two sovereigns; but I did not know what it was when Mr. Whatman offered it to me. I thought it would be a couple of shillings, or something like that.

1167. Did they go away after that; and you put your hand in your pocket and found the two sovereigns?—Yes.

1168. On the morning of the election day, did you see Mr. Wells anywhere?—Yes, in High-street.

1169. That is the gentleman near me?—Yes.

1170. Did he say anything to you?—Yes.

1171. What time in the morning was it?—I should think about 10 o'clock.

1172. By the *Committee.*] Was that the morning of the polling?—Yes.

1173. Mr. *Price.*] What did he say to you?—He asked me if I was going to vote for them; and he said, "Will you take the offer that has been made to you?" I said, "No." And he wanted me to come back to his place to give me 10 *l.*, and I was to have the remainder afterwards.

1174. What did you say?—I told him I should not vote for Lee and Whatman.

1175. As you went up the town, did you see Messrs. Lee and Whatman?—Yes.

1176. Did they speak to you again about your vote?—Not after that.

1177. How often were you canvassed by Messrs. Lee and Whatman?—I saw them more than once, more than that time, but I got out of the way; I would not be seen by them.

1178. Have you anybody at your forge who takes care of it in your absence?—Only a boy; my eldest son was at home then.

1179. Is there a man of the name of Diprose who lives near you?—Opposite.

1180. Whom did you vote for in the end?—Messrs. Wardlaw and Betts.

1181. Do you know old Mr. Day?—Yes.

1182. Have you ever seen him canvassing for Lee and Whatman?—I think he canvassed at the first with them; there were 20 or 30 of them altogether.

Cross-examined by Mr. *Davidson.*

1183. And anybody they pick up in the streets goes about canvassing in Maidstone, do they not?—I do not know; I am sure there were a great many of them together, sometimes 20, and sometimes more.

1184. You cannot say that Mr. William Day was there, for certain?—No.

1185. You did vote for Wardlaw and Betts?—Yes.

1186. What did you get?—Not anything.

1187. Eh?—Not anything; all I got was that I found myself about 10 *s.* or 12 *s.* short that night; for, meeting with one friend and another, we kept having a glass here and there, and I found myself 10 *s.* or 12 *s.* out of pocket by it; I never got so much as a glass of ale.

1188. You have got nothing up to the present time?—No.

1189. Have you been promised anything?—No.

1190. Are you quite sure?—Yes.

1191. Do you expect anything?—No, I do not.

1192. Now, then, about Mr. Lee and Mr. Whatman; what was the first day you have spoken of, when Mr. Lee offered you the 30 *l.* or 40 *l.*; what day of the week was it?—It was either the Thursday or the Friday before the Election week.

1193. £. 20 or 30 *l.* it was at first?—Yes.

1194. What was it in High-street?—Mr. Lee offered me 20 *l.* or 30 *l.*; and when Mr. Whatman came to the forge, he said 30 *l.* or 40 *l.*

1195. Who was there at the time when the 20 *l.* or 30 *l.* was offered?—Mr. Lee.

1196. No one else?—No.

1197. It was in the street?—Yes.

1198. What time of the day was it?—I should think about four o'clock in the afternoon.

1199. What were you doing, hanging about the street?—I had been over to see Mr. Masters, and had been doing some work for him.

1200. You were going home from work?—Yes.

1201. Mr. Lee was going to the station?—He was going towards the station. I very often do work on board barges, and I was doing it then.

1202. Tell us again what it was what Mr. Lee said to you?—He said, "Old boy, you were very stupid the other night."

1203. And were you stupid "the other night?"—I would not vote.

1204. He meant when he had seen you before?—Yes.

1205. Had you been drinking the night before?—I was getting a glass of ale at the bar.

1206. And he said, "Old boy, you were very stupid the other night?"—Yes; and I said, "I am in the same mind now."

1207. And then he said what?—He said if 20 *l.* or 30 *l.* was of any use to me, I could have it, and he asked me for my vote.

1208. Did he show you any money?—Yes.

1209. The first time, you say, was when you were getting some ale at the bar?—Yes.

1210. What house was that in?—The Sun.

1211. Was anyone there at that time?—The bar was full; I should think there were 20 or 30 people leaving the meeting.

1212. Now, about the forge; what day was it he came?—I do not know what the day was, but it was the Thursday or the Friday before the election week.

1213. Mr. Whatman was with him?—Yes.

1214. Was Mr. Wells there?—No.

1215. Was anyone else there?—Only Mr. Whatman and Mr. Lee. Mr. Wells was not there.

1216. As I understand, Mr. Lee did not make

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you any offer in the public-house?—No, he did not.

1217. He merely canvassed you?—And he asked me to draw on one side, because he wanted to have a word with me.

1218. In the presence of 20 or 30 people?—Yes.

1219. By the *Committee.*] What did he say in the presence of all those people?—He asked me to draw on one side and have a word with him, and I would not leave the bar.

1220. Mr. *Davidson.*] Could any of the people hear him?—Yes.

1221. Was there anybody there that you know the name of; give us the name of some one who was there who would hear that?—I believe Mr. Samuel Day was one who was there; and Mr. Epps, the landlord of the Sun.

1222. He was in the room?—In the bar.

1223. Who else?—I know some one else, and that is Mr. Sallers, but he is dead now, I believe; he was one of that party that introduced Mr. Lee to me.

1224. Was Mr. Lee canvassing at that time?—No, it was at the meeting.

1225. What, at the bar in this house?—They were just leaving the room.

1226. Coming down from the meeting?—Yes, and they had to pass through the bar to come out.

1227. Did he canvass anybody at that time in your presence?—I never saw him canvass anybody else.

1228. Were there voters there beside yourself?—Yes.

1229. Who was there?—I do not think there was any one on the Conservative side beside myself; I think they were pretty much all of them Blues.

1230. You were out of your place?—I had not made up my mind what I should do.

1231. You never had voted before, I believe?—No.

1232. When did you make up your mimd?—The morning of the election, about a quarter of an hour after I had seen Mr. Wells.

1233. When was it you saw Mr. Wells?—On the morning of the election.

1234. You did not make up your mind till the day of the election?—Not fully before that time; but I said if I did vote, I should vote for the Conservatives; but I did not think I should vote at all.

1235. There was no one present where the 30 *l.* or 40 *l.* was offered except Mr. Whatman and Mr. Lee?—My son was there, but he was at the other end of the forge; he did not hear what was said.

1236. You know that?—The forge is 40 feet or 50 feet long, and there is no one could hear what was said at the other end of the forge.

1237. Who is your lawyer?—Mr. Goodwin.

1238. He is the gentleman who is the Conservative agent, I believe?—Yes.

1239. Has he acted for you often?—No.

1240. How often?—Well, once or twice.

1241. You know what I am going to ask you well enough; what was the first time about?—I believe he conducted a case for me in the county court first.

1242. I want to know about the police court; did he ever conduct a case for you there?—Yes.

1243. Has he done it more than once at the police court?—Twice.

1244. What had you been doing; were you complaining of somebody the first time?—No.

1245. Had somebody done something to you?—No.

1246. What had you been doing?—I was charged with taking some meat, and if I had had money to carry it through I should have committed the man afterwards for perjury, because I was proved innocent.

1247. That is the first time you were charged by mistake with taking some meat, and Mr. Goodwin was your solicitor; what was the second charge?—I was charged with being in the back yard of a man's house, and I went to ease myself. I went to get a glass of ale, and went through into his water-closet.

1248. Were you caught in the wash-house?—No.

1249. Where were you taken?—Just coming out of the water-closet.

1250. Did they take you into custody for that?—Yes.

1251. It was all a mistake, I suppose?—Yes.

1252. Was it a public-house?—Yes.

1253. There again you were taken before the magistrate, were you not?—Yes.

1254. How long were you in custody?—Not at all.

1255. You were remanded on one occasion for a week, were you not?—No.

1256. Were you not remanded for some days?—I was in the police station for a day or two.

1257. Was that on the first charge, about the meat?—The second.

1258. I suppose you told the magistrate what you went for?—I do not remember; I have very little recollection about the last time, because I was very ill at the time.

1259. It is so long ago that you have forgotten, or you do not remember what you were about?—I was ill at the time.

1260. You had forgotten where you had got to?—I have no recollection of the last time at all.

1261. Who was it found you out, and took you to Mr. Goodwin about the evidence you have given; did anyone take you there?—No.

1262. Do you know Jesse Kirby?—Yes; I know him.

1263. Did he come to you about it?—No.

1264. Are you quite sure of that; did Jesse Kirby come to you about giving your evidence on this petition?—No.

1265. Have you seen him at all?—I have seen him.

1266. Did you tell him about what you could swear?—I have spoken to him about it, but not much.

1267. Where was that; was it at your own forge?—I believe it was the first time.

1268. Then I suppose he came to you, did he not?—I believe it was the first time.

1269. Did he come and ask you whether you could tell him anything about the matter?—No.

1270. What did he say to you when he came; did he tell you he was getting up evidence for a petition?—No.

1271. How did you happen to get talking about this?—I did not know there was going to be a petition, not then.

1272. You told him at once?—I said nothing to him at all about it, there was a word or two mentioned.

1273. When did you see him next?—I have

met

met him several times, seen him in the street since.

1274. And talked to him about this matter?—No.

1275. Did he ever speak to you about giving your evidence?—He never spoke to me at all about giving any evidence.

1276. What made you go to Mr. Goodwin?—I had a little business that I wanted to see him about.

1277. You got talking about the petition?—There was a word or two said.

1278. It was written down what you could say was it not? The learned counsel examined you from some writing, when was that taken down?—I could not hardly say what day it was.

1279. Was Jesse Kirby there?—No.

1280. Did he go with you to Mr. Goodwin, when that was taken down?—No.

1281. Will you swear that?—Yes.

1282. Did he send you there?—No.

1283. Who did?—I went there to see Mr. Goodwin on some other business.

1284. You remember Mr. Goodwin appearing for you before the magistrate about the meat?—Yes.

1285. And you were discharged, I think, upon entering into your own recognisance, or promising to come up when wanted?—No.

1286. That was not so?—No.

1287. That was about the other business, the water-closet?—I do not know what the decision was then.

Re-examined by Mr. *Price*.

1288. Now about the meat; when you were had up for taking the meat, were you in custody on that occasion or not?—Only at the police station.

1289. How long?—I think it was from the Monday morning till the Tuesday.

1290. Were you taken before the magistrate?—Yes.

1291. Was the case heard?—Yes.

1292. What became of it?—I was discharged, proved innocent.

1293. Now then, I come to the next occcasion, when you say you were very ill. You went into the inn to get a glass of ale, and you went behind into the water-closet. How long ago was the meat business?—I should think that must be three years ago; I do not know exactly.

1294. How long ago is it that you went into the water-closet and you were taken up?—Two years; I think it was more than that.

1295. Who had you taken up in the first place, who gave you into custody about this going into the water-closet, the landlord or whom?—Mr. Osmond.

1296. What were you charged with, do you know?—That I do not know.

1297. You were very ill that night?—Yes.

1298. Was it with being found upon the premises for an unlawful purpose?—Something of that.

1299. How long were you kept in custody before you were taken before the magistrate, on that occasion?—I cannot tell, because I was very ill, and I was ill for some time after; I have no recollection of it.

1300. Do you remember being before the magistrate?—I do not remember anything about being before them at all.

1301. Who attended for you before the magistrate, did Mr. Goodwin?—I believe Mr. Goodwin did.

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1302. Were you, except being in custody at the police station, sent to prison?—No.

1303. You remember whether you were sent to prison?—I do; I do not know anything about the affair for a fortnight or three weeks.

1304. Why?—I was very ill at the time; I had no recollection of it at all, when told about it.

1305. It was more than two years ago, you think?—Yes.

1306. You were asked by my friend whether persons may not have heard that night at the Sun Inn what was said when Mr. Lee was introduced to you; whether they may not have heard him say, "Come on one side," and so on; there were a good many people there, were there not?—I should think 20 or 30.

1307. Was there a good deal of talking?—Yes; they were just leaving the room, and you could scarcely get along the passage.

1308. You think Epps, the landlord, might have heard?—He kept us waiting. He wanted me to promise Mr. Lee.

1309. You say you voted for Wardlaw and Betts?—Yes.

1310. You had never voted before, I understand?—No.

1311. Which way do your friends vote?—My father always voted Tory.

1312. By the *Committee*.] You say that on one occasion Mr. Whatman offered you some money to get some drink?—Yes.

1313. And that he put some money into your pocket?—Yes.

1314. And that afterwards you found it was 2 *l*.?—No, it was Mr. Lee.

1315. Were any people standing about at that time?—Only my son, who was in the shop at the farther end, and he could not see.

1316. It was when he came to your shop?—Yes.

1317. Were you working in your shop at 10 o'clock at night?—Yes; and I very often work till one or two in the morning.

1318. Do you work for Mr. Betts?—I never do anything for him. I have been working both for Mr. Lee and Mr. Whatman, and had done work a month or two previous for Mr. Whatman. It was through Mr. Hawkins, the builder, that I did this work. Mr. Hawkins said, "I have been telling the Squire who has been doing this work;" and he said, "We shall have a vote from you." I said, "I am sorry to say I cannot vote for you." He said, "You must give us one." Mr. Hawkins asked me several times; and on the morning of the election he came to me, just after I had voted, and he said, "Are you not going up to vote?" I said, "I have just voted." He said, "How did you vote?" I said, "As I told you I always should; I voted for Messrs. Wardlaw and Betts."

1319. If you refused 30 *l*. or 40 *l*. which were offered to you, how came you to accept the 2 *l*.?—I did not accept it.

1320. Did you not keep it?—I did not accept it.

1321. The *Chairman*.] What did you do with the money?—I spent it.

1322. By the *Committee*.] What did you do with that money?—I was not going to throw the money after him, was I?

1323. What did you do with it?—It went for general

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general purposes. I cannot tell what I did with it exactly. I spent it.

1324. How long after did you find out it was two sovereigns?—About five or ten minutes.

1325. After they had left?—Yes. I never supposed it was anything more than a couple of shillings, as they said it was for drink.

1326. Did it not occur to you, when you found 2 *l.* in your pocket, to go and give it back to them, if you would not take 40 *l.*?—I did not accept it at all; it was not with my consent I took it.

1327. It did not occur to you to give it back again?—No. If they had put as much more in I dare say it would have been spent. I should have found a use for it.

1328. Are you a freeman?—No.

1329. How do you get your vote; what is your qualification as a voter?—I pay rent sufficient; I pay 9 *s.* a week, 5 *s.* for the house and 4 *s.* for the forge, but the house would be sufficient; I had done work for Mr. Whatman before that, and I had done work for Mr. Lee.

1330. Is this the first time you have ever voted?—Yes.

WILLIAM DIPROSE was called in; and, having been sworn, was Examined by Mr. *Price*, as follows:—

W. Diprose.

1331—2. ARE you a freeman of Maidstone?—Yes.

1333. Did you vote at the last election?—Yes.

1334. Who for?—For Messrs. Betts and Wardlaw.

1335. Do you know Mr. Henry Chambers, a blacksmith?—Yes.

1336. You live opposite to his forge?—Yes, about eight or nine yards on the opposite side of Pudding-lane.

1337. Did you know by sight the two other candidates, the blue candidates?—Yes.

1338. Have you ever seen them at Chambers' forge?—Yes.

1339. Before the election?—Yes.

1340. How often?—I suppose three or four times.

1341. When Chambers was at home?—He was not at home then; his house is some distance from his forge.

1342. But he was not at the forge?—Not at work there.

1343. Was it to the forge you saw the two candidates come?—Yes.

1344. What time of the day did they generally come?—About five or six o'clock in the evening.

1345. How late is the latest time you have seen them there?—I saw them about eight or nine o'clock one evening.

1346. When was that?—About three or four days before the election took place.

1347. Did you ever see them talking to Chambers?—No, my shop is about eight or nine yards from the forge.

1348. You have seen them go to the forge?—Yes, I saw them go into the forge.

1349. Have you at any time seen any other gentlemen with them canvassing, that you know of?—Oh, yes.

1350. Whom have you seen canvassing with them?—I saw Mr. Day.

1351. Which of the Days'?—Mr. William Day.

1352. William senior, or William junior?—William junior.

1353. Have you seen them go to Chambers?—I saw them go down in that direction to the house.

1354. You have not seen them go to the forge?—I did not see them go in.

1355. How often have you seen any of the Days' canvassing with Messrs. Lee and Whatman?—A great many times in Pudding-lane, where I reside.

Cross-examined by Serjeant *Ballantine*

1356. What do you mean by canvassing?—Coming and asking for your vote.

1357. Did they ever ask you for your vote?—I should say a month before the election took place, Mr. William Day came one day into my house and asked me if I could favour him with a vote, and I told him I never voted that way, and, therefore, I could not think of such a thing as to break my vote.

HENRY AMIES was called in; and, having been sworn, was Examined by Mr. *Price*, as follows:

H. Amies.

1358. YOU are a voter for the Borough of Maidstone?—Yes.

1359. Did you vote for Wardlaw and Betts at the last election?—Yes.

1360. Were you in Wardlaw and Betts' committee-room at the Bell any time during the election?—Yes, on the day of polling.

1361. Did you see Mr. William Pearson there?—Yes.

1362. Did you see Jesse Kirby come in?—Yes.

1363. Did you see Kirby do anything?—I saw him give Mr. Pearson a small paper parcel.

1364. Did you see it opened?—Yes.

1365. What was in it?—I saw some sovereigns.

1366. By the *Committee.*] Who gave the paper?—Kirby gave it to William Pearson.

1367. Where was this?—At the committee-room at the Bell.

1368. Mr. *Price.*] Were you at the Nag's Head at any time on the evening of the nomination day?—Yes.

1369. Do you know a man called James Chambers?—Yes.

1370. What is he?—A town carter.

1371. Do you know which side he acted for at the last election?—On the Liberal side.

1372. What have you seen him doing for the Liberals?—I saw him canvassing; he seemed very busy trying to get voters.

1373. Canvassing with whom?—Lee and Whatman.

1374. Once, or more than once?—I could not be certain about that, I could say once.

1375. Have you seen Messrs. Lee and Whatman canvassing more than once?—Yes, several times.

1376. Upon those occasions have you seen William Misson canvassing with them?—Yes.

1377. Old

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1377. Old William Day?—Yes.
1378. How often?—Two or three times.
1379. Samuel Day?—Yes.
1380. Joseph Day?—Yes.
1381. Have you seen Joseph Stranger with them?—Two or three times.
1382. Edward Mason?—I cannot say I have.
1383. James Burgess?—Yes.
1384. More than once?—Yes, two or three times.
1385. John Swinfen?—Yes, several times.
1386. John Goodwin?—Yes.
1387. More than once?—I would not be certain about that.
1388. Thomas Chambers?—Several times.
1389. James Chambers?—I would not swear more than once.
1390. You have seen Misson once only with Lee and Whatman?—I saw him the night before the election.
1391. Where?—In Week-street.
1392. What was he doing?—He was running about looking after voters, I thought.
1393. Did you attend a meeting of the Liberal party in the Exchange on the Friday before the polling day?—Yes.
1394. Were Messrs. Lee and Whatman there?—Yes.
1395. Was the meeting held in doors or in the open air?—In doors, in the Exchange.
1396. Was Swinfen there at that time?—I believe he was.
1397. And Day and Burgess?—I believe most of them I have named.
1398. Did you see Mr. Whatman at the Bull on the polling-day?—Yes.
1399. At the same time did you see Thomas Chambers there, and John Swinfen?—Yes.
1400. And James Burgess?—I would not be certain about him.
1401. In the committee-room, I mean?—Yes.
1402. Where Mr. Whatman was?—Yes.
1403. What did these men appear to be doing?—Talking.
1404. Had they paper and things of that kind about?—Yes.
1405. Did it appear like a committee-room?—Yes, it did to me.
1406. By the *Committee.*] What business had you in the Liberal committee-room?—I went to see the same as other people did, on discovery.
1407. Were there any other Conservatives in the committee-room?—Not that I know of.
1408. Have you ever voted before?—No; all my friends voted for the Tory party.
1409. Was there not any remark made to you when you were known to be of the other side?—I did not stay, I just went and opened the door, and looked round, and came back again; I knew it would not do for me to stay there.

ROBERT SHIRLEY was called in; and, having been sworn, was Examined by Mr. *Price* as follows:

R. Shirley.

1410. ARE you a voter for Maidstone?—Yes.
1411. Whom did you vote for?—Lee and Whatman.
1412. What are you?—A cooper.
1413. Had you signed any requisitions to the other candidates?—Yes.
1414. To Wardlaw and Betts?—Yes.
1415. Have you ever voted before?—No.
1416. Do you known James Burgess?—Yes.
1417. Well?—Yes.
1418. Before the election did he ever come to you?—Several times.
1419. What about?—About the committee meetings he was on.
1420. What committee meetings?—Concerning Mr. Lee and Mr. Whatman.
1421. You used to work near his house, did you not?—Yes.
1422. Did he say anything to you about your vote?—Frequently.
1423. What did he say?—Asked me which way I was going to vote, and I told him I did not know rightly; he then said to me "you had better vote for Lee and Whatman."
1424. Did he say why?—He thought it would be better for me.
1425. Did you call upon him afterwards at his house?—Yes.
1426. How soon before the polling-day?—On the Monday before the polling-day.
1427. What did he say about your vote?—Nothing.
1428. When did he next speak to you about your vote?—I spoke to him previously to that.
1429. When?—On the Monday.
1430. What did you say?—I said I wanted 4*l.*
1431. Did you say what for?—I told him I wanted it.
1432. Whom did you work for?—At that time I understood I was doing work for Mr. Lee.
1433. What did you say to him when you said. you wanted 4*l.*?—I told him I was in a little trouble, and I wanted him to let me have 4*l.*, and he said, "I cannot myself, before I put it before the Committee."
1434. Did you say what you wanted it for?—Yes.
1435. What for?—To square off some debts.
1436. Did you say anything about your vote at that time?—Not then.
1437. Had you told him before how you would vote?—Not him.
1438. Whom had you told?—Mr. Wells.
1439. When had you seen Mr. Wells?—It was before that, when I went to work for Mr. Lee.
1440. How long before the election?—Before I went to work for Mr. Wallis; that was his brother-in-law; I went to work at Mr. Lee's through Mr. Large, who took me to Mr. Wallis. He said, "Is your name Robert Shirley?" I said, "Yes, it is."
1441. What said Wells?—He asked me if my name was Shirley, and I said "Yes;" and he said, "I understand you are a voter," and so like, and I said, "Yes." He asked me which way I was going to vote, and I told him I did not rightly know; but I thought I was going for Lee and Whatman; and then it was brought up about a situation.
1442. What did he say about the situation, do you remember; did Wells look at any book?—Yes, he did; he opened a book, and said, "I see you are a voter."
1443. What book was it?—A voting book. It was a large book, to see whether my name was on

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on the register, or I understood him as such; and he said, "I see your name is on the book entitled to a vote," and he said, "If I had known you were going to vote our way before, you might as well have had the beef at Christmas; but I will take care that you shall have it next year;" that was the next Christmas.

1444. What did they say about work?—He said he would write for me.

1445. Whom to?—To Mr. Letchford.

1446. Who is he?—The managing man at Mr. Lee's Limeworks.

1447. Did he tell you to go to Letchford?—I went away that night.

1448. Did you afterwards go to Letchford?—I went to Mr. Wells a second time.

1449. What passed then?—He told me to go to Letchford when I liked.

1450. What were you to say to Letchford?—He told me I was to go and see him, and go to work. I went to see him on Saturday, and on Monday I went to work.

1451. How long did you work there?—I should think seven or eight weeks.

1452. That was before the election?—Yes.

1453. By the *Committee.*] This was long before the election?—Yes.

1454. Mr. *Price.*] You say you had spoken to Mr. Wells about your vote; now come back to the time when you went to ask Mr. Burgess for 4 *l.*, what did he say?—He said he would take it before the committee; and wrote it down on a bit of paper.

1455. Did you vote?—Yes, on that view of getting the 4 *l.*

1456. Did you get the 4 *l.*?—Yes.

1457. When?—On the Saturday.

1458. After the election?—Yes.

1459. Who paid you?—Mr. Burgess.

1460. Where?—Close to Mr. King's public-house, the Flower Pot, between two and four.

1461. Had Lee and Whatman any colour-men?—Yes.

1462. Did you ever see Burgess do anything with regard to them?—Yes.

1463. What?—Pay several of them for their work.

1464. Where did you see him pay them?—Close to the Flower Pot public-house.

1465. Did you know from Burgess himself what committee he was on?—I have frequently heard him say.

1466. Which committee was he on?—Lee and Whatman's.

1467. When you saw Burgess, was he very active in election business?—He spoke to me himself. He had a large blue bow on his hat, and went in front of the van.

1468. How much did he pay?—He paid me one day on the county election.

1469. Who were these colour-men you saw him pay?—Why, Potter was one.

1470. Were they colour-men employed at the borough election?—Yes.

Cross-examined by Mr. Serjeant *Ballantine.*

1471. As far as I understand, your principles are Conservative?—They would have been.

1472. Your natural principles are Conservative; you are for Church and State, and that sort of thing?—That is all right about that.

1473. And you sold them for 4 *l.*?—I don't know.

1474. What is the use of principles, you know?—That is right.

1475. I am only wondering at your getting so little for them; how came you to take such a small sum of money for your principles?—Because I did not require any more.

1476. Not that you could not get any more?—I never asked for any more.

1477. What did you want the 4 *l.* for?—For debts, I suppose.

1478. Was it that you owed 4 *l.*?—Yes.

1479. Did you say you owed 4 *l.* to Burgess?—I did.

1480. Did you tell him that you were a Liberal in principle?—No.

1481. Did you not say that Wardlaw and Betts had been pressing you, but you did not like to go against your principles?—No.

1482. Did you not tell him they would give you anything you wanted?—No.

1483. Are you quite sure about that?—Yes.

1484. What made him make the observation that you might as well have had the beef?—That was Mr. Wells.

1485. That could only be because you were Liberal?—I thought it was doing me a little good if I got a place to work at.

1486. Unless you had said that your principles were naturally Liberal, why should Mr. Wells have said you might just as well have had the beef?—That I don't know.

1487. You voted for the Liberals, did you not?—Yes.

1488. You gave them 4 *l.* worth?—Yes.

1489. And now you have betrayed the affair?—Yes.

1490. How much are you to get for that?—Nothing for that.

1491. You have done that for the pleasure of the thing?—Yes.

1492. Who persuaded you to gratify yourself in that way?—No one.

1493. Don't say that?—There was only one thing, and that was by Burgess himself; he served me a very nasty trick.

1494. Did he want you to pay back some money you owed him?—He never asked me such a question.

1495. What was it then?—He took hold of me one night, and threw me very nearly across the road.

1496. I hope he did not hurt you?—He did.

1497. That is the dirty trick he played you?—Yes.

1498. I suppose you had done something to deserve it?—No.

1499. He did it for the pleasure of the thing?—I was having a few words with his brother-in-law, who was not big enough to take his own part, I suppose; so he helped him.

1500. Then there was a family feud?—I suppose so.

1501. His brother is little?—No, he is as big as me.

1502. But not big enough?—I don't know about that.

1503. The brother pitched you across the road, and so you thought you would betray him?—No, not that altogether.

1504. Give us another reason?—I have got no other reason to give.

1505. Is that the only reason?—Yes.

1506. Do you know a gentleman of a very insinuating

sinuating manner, Jesse Kirby?—I have seen him.

1507. Do you mean you only know him by sight?—I have known him by sight many years, when he kept a public house.

1508. Do you mean you only know him by sight?—Yes, I have spoken to him.

1509. You know him very well, don't you?—I have spoken to him several times.

1510. Did he get hold of you about this 4 *l.*?—Not that I know of.

1511. Did he speak to you about the 4 *l.*?—No.

1512. Did you speak to him?—No.

1513. Were you not down at Lincoln with him?—I was with the son.

1514. I am speaking of Jesse Kirby that has been here?—There is Jesse Kirby, junior and senior.

1515. What took you to Lincoln?—I went to see my uncle.

1516. This is your uncle's handwriting, is it not (*handing a letter to the Witness*)?—No, I do not think that is.

1517. Look again?—I won't own that writing for my uncle's.

1518. You don't swear it is not?—I won't own it.

1519. You do not like what he says?—I don't know what he does say.

1520. Then look?—I don't want to look.

1521. Look at the letter?—No.

1522. The *Chairman.*] Do you know the handwriting?—No, I cannot acknowledge it. My uncle writes several different hands, so that I could not swear to that.

1523. Mr. Serjeant *Ballantine.*] Where have you been staying in town?—What town?

1524. This town?—I have not been staying anywhere yet; I went home last night.

1525. Have you seen Jesse Kirby since you have been up?—I caught sight of him outside.

1526. Did he go down last night to Maidstone?—I believe he did.

1527. What do you mean by "believe"?—I saw him in the train.

1528. Did you speak to him?—I think I did when we got out at Maidstone Station.

1529. Which is only yesterday; you saw Jesse Kirby down at Maidstone, did you not?—When he got out of the train.

1530. You had a chat with him?—I said, "How do you do?" and so like.

1531. Did he say anything?—"How do you do, Robert?"

1532. Are you on such familiar terms?—Yes.

1533. Did you say, "How do you do, Jesse?"—I have told you.

1534. Did you say, "How do you think the thing is getting on?"—Nothing of that.

1535. Do you mean to say you did not speak about this?—Not a word.

1536. You swear that?—Yes, I think I could.

1537. Think now; it was only yesterday evening, and it was before you had gone anywhere else?—When I went out of the carriage I went straight to my home.

1538. Will you swear you did not talk to him about what was going on here?—I could swear it.

1539. Do you?—I could swear I did not.

1540. Do you swear it?—Don't I?

1541. No?—I will if you give me the book, because I know I did not say a word about what was going on.

1542. Did you see Kirby again in the evening?—That was nine o'clock; I was glad to get to bed; I was tired.

1543. You never saw anything of Kirby?—No.

1544. Have you had anything from Kirby?—No.

1545. What are you to have?—Nothing that I know of.

1546. Out with it; you never turn round for nothing?—I know nothing about it.

1547. What do you expect?—What do you mean? I don't understand you.

1548. Do you not expect to get anything for this job?—No.

1549. For coming and telling this story?—No.

1550. What do you think; don't you think there is a grateful feeling towards you that will represent itself in sovereigns?—That I don't know anything about.

1551. You would not be surprised?—You ask me such funny questions, I can hardly answer you.

1552. Suppose anybody slipped a few sovereigns into your waistcoat pocket?—I should not like to take them.

1553. You would have a delicacy about it?—Yes; but there is nothing freer than a gift.

1554. Perhaps you might be prevailed upon to keep them?—I would not say.

Re-examined by Mr. *Price*:

1555. At all events you have had nothing yet?—No.

1556. You say you went home directly, last night?—Yes.

1557. You had been away from your wife a week?—A week last Monday.

1558. You did not stop with Jesse Kirby much?—No; that is right.

1559. Before you went to Lincoln you had seen a person of the name of Large?—Yes.

1560. Had he been to you?—He had been tormenting me several times.

1561. What did you do with the 4 *l.* you got?—Took it home, and gave my wife 3 *l.*, and kept 1 *l.* myself.

1562. By the *Committee.*] When this quarrel occurred between you and Burgess's brother, how long was it after the election?—Some considerable time.

1563. Had the quarrel anything to do with the election?—Nothing at all.

1564. Nothing whatever?—I think it was a brotherly feeling towards his brother-in-law which made him take his part.

1565. That was your reason for the turning round of your opinion?—Not particularly about that.

1566. You signed the requisition to the other side, did you not?—Yes.

1567. Why didn't you vote for them?—Because I thought it was best for me to vote the other way, on account of the work I was promised.

1568. I suppose you wished for a contested election in Maidstone, and that was the reason for signing the requisition?—I don't know about that.

 1569. Did

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1569. Did you get any Christmas beef last Christmas?—Yes; 4*s.* worth, and bread.

1570. Who supplied the colours?—They were given by Mr. Burgess to the men in the morning.

1571. You were colour-man one day?—That was for the county.

1572. When you say you are a colour-man, did you have colours on your hat?—We carried the colours, flags.

1573. You say that Burgess had colours, you mean favours I suppose?—A flag with a long pole; he had a large bow on his hat too.

1574. Did you see the colours delivered?—I call the colours the flags.

1575. Were there a great many colours in the town?—I should say from 12 to 14.

1576. The *Chairman.*] Was there a blue bow given you?—No.

1577. By the *Committee.*] Any bands of music?—Yes.

1578. Were there not blue bows at all given?—Not that I am aware of.

1579. When you say a man had a colour on his hat, you do not mean a blue bow?—Yes, he had; that was Mr. Burgess.

1580. You mean by colours, flags, I suppose?—Yes.

1581. Had the bandsmen any colours in their hats?—They wore them on their breasts.

WILLIAM ROE was called in; and, having been sworn, was Examined by Mr. *Price*, as follows:

W. Roe.

1582. ARE you a hoop-maker at Maidstone?—Yes.

1583. Do you know Thomas Burgess?—I do.

1584. Did you see him during the late election?—I did.

1585. What part did he take that you saw?—He was the master of the flags.

1586. Were you employed yourself at all?—Yes; in carrying a flag.

1587. Who for?—For Lee and Whatman.

1588. Who paid you?—Mr. Burgess.

1589. Did you attend any meeting of Lee and Whatman's?—No more than going round with the flags.

1590. Was that before the nomination day?—We went round the town before the nomination day.

1591. Who was with you when you went round?—Mr. Burgess.

1592. Neither of the candidates?—I do not think there was.

1593. Did you go round with the band?—Yes.

1594. Driving about the town?—Yes.

1595. And these days when you went about playing, do you know whether there was going to be any meeting of Lee and Whatman on those nights?—I cannot say that I do.

1596. When you were paid, did you see any others paid?—Yes.

1597. How many?—19 or 20.

1598. Where were you paid?—At the Flower Pot inn.

1599. Were you paid for the nomination day as well?—Yes.

1600. And for the polling day?—Yes.

1601. By the *Committee.*] What were you paid?—I was paid two half-crowns for the evening, going round.

1602. Mr. *Price.*] What for the nomination day?—Five shillings.

1603. What for the election day?—Eleven shillings.

1604. You are not a voter I believe?—No.

1605. Who paid you on the other occasions?—Mr. Burgess paid me all I had.

1606. Do you know Robert Shirley?—I do.

1607. Were you working with him close to the Flower Pot, on the Saturday after the election?—I was.

1608. Who came to him whilst you were there?—Mr. Burgess.

1609. What happened?—He called him out where we were working, and gave him some money.

1610. You saw him?—Yes.

1611. Did you see any money in Shirley's hand?—I saw three or four sovereigns pass from one hand to the other, but I cannot say which.

1612. Before the election, had you heard Burgess say what committee he was on?—I heard him talk about going round to the committee.

1613. Did you hear him say whether he was on the committee?—No; only that he was going down to the committee.

1614. Do you know who hired the band?—I heard him say he was going to Chatham to get a band.

1615. Did the band come from Chatham?—Part of it.

Cross-examined by Mr. Serjeant *Ballantine.*

1616. Had the other side colours as well?—Yes.

1617. They had more, had they not, than the Liberals; they were rather freer with their colours?—I don't think there was a great deal of difference.

1618. And colours in the county, too?—Yes.

1619. I believe it always is the case in Kent, as far as you know of it?—Yes.

1620. And music, too?—Yes.

1621. You say you are not a voter?—I was not.

1622. What is Burgess?—He is a paper-maker.

1623. A journeyman?—Yes.

1624. Is he an old resident in the town?—Yes.

1625. Have you known him for a long time?—I have not known him for any great length of time.

1626. You were employed by the Liberals?—Yes.

1627. And do you know Jesse Kirby?—Yes.

1628. The man who is up here?—Yes.

1629. Has he been with you?—Not before yesterday.

1630. What did he say to you yesterday?—He asked me to come up here.

1631. What did he say to you?—I do not know that he said anything.

1632. He must have said something; I take an interest in this matter: what did he say?—He said I had got to come up.

1633. About what?—About this petition.

1634. Did he say what to prove?—To say what I had seen.

1635. How did he know what you had seen?—Because, I suppose, Shirley told him.

1636. Did

1636. Did he tell you that Shirley had told him?—No.

Re-examined by Mr. *Price*.

1637. You say you saw Kirby yesterday for the first time about this matter?—Yes; after bringing me notice to attend here.

1638. Had you seen Goodwin more than a week ago?—No.

1639. When did you see him about giving evidence here; was it before yesterday?—Yes. *W. Roe.* 18 April 1866.

1640. How long before?—I believe it was one day last week.

1641. Had you told Goodwin what you could swear?—Yes.

1642. By the *Committee*.] Is Burgess generally employed on committees by the Liberals at elections?—I don't know; not before this last election.

Mr. William Collins was called in; and, having been sworn, was Examined by Mr. *Staveley Hill*, as follows:

1643. Do you live in Maidstone?—Yes. *W. Collins.*

1644. Are you a voter?—No.

1645. Were you in Maidstone on the night of the nomination?—Yes.

1646. And were you, on the night of nomination, in the Nag's Head, in Week-street?—Yes.

1647. Were there two persons there at that time; Henry Amies and Waller?—Yes.

1648. And was John Richardson also there?—Yes.

1649. Whilst Richardson was there, did a man of the name of Thomas Chambers come in?—Yes.

1650. Did you see Thomas Chambers come in?—Yes.

1651. Did you see Thomas Chambers and Richardson go out of the house together?—Yes, to the back of the house; to the back of the yard.

1652. Did you have some conversation yourself with either Chambers or Richardson?—Yes, with both of them.

1653. Mr. *Hill*.] Did you hear Chambers say—

Mr. Serjeant *Ballantine* objected to the question on the ground that what passed between the witness and Chambers was not evidence to affect sitting Members.

Mr. *Hill* stated that he proposed to prove the agency of Chambers by the evidence which he proposed to offer.

Mr. Serjeant *Ballantine* was heard in reply.

The *Chairman* stated that the Committee were of opinion that they ought not to prevent the proposed evidence being given.

1654. Mr. *Hill*.] What did you hear Chambers say to Richardson?—He took him out in the yard, and spoke to him. I followed them out, and he said, "Now look here, I can give you 10 *l*., if that is of any use to you." I says, "Now look here, that will not do; the man has promised to vote for the other party, and he is going to act like a man."

1655. You told who that?—I told Mr. Chambers that I would not allow it; that the man had promised to vote for the other side. I said, "Let him alone." He then told me—

1656. Who told you this, not Mr. Chambers; was it Richardson?—Yes, Richardson told me this. He says, "No, I will not take money; I will vote the other way if I think proper."

1657. Now, with reference to the 10 *l*., what do you say were the exact words which you heard Chambers use to Richardson?—He asked him whether 10 *l*. would be any use to him.

1658. Was that at the time when he was speaking about the vote?—Yes; in the back yard. I asked the man what he had said to him, and he repeated it to me.

1659. Did you see the present Members, Lee and Whatman, canvassing?—Yes.

1660. What persons did you see canvassing with them?—I saw several.

1661. Did you see any of the Days?—Yes.

1662. Which of the Days'?—Old Mr. Day.

1663. That is William Day, is it not?—I think his name is William.

1664. Did you see him more than once?—Yes; I saw him several times in different parts of the town.

1665. With the two candidates?—Yes.

1666. Did you see Misson?—Yes.

1667. More than once?—Oh, yes; they were canvassing 14 or 15 days, I think.

1668. Was Misson with them the greater part of the time?—Yes.

1669. In company with the two sitting Members?—Yes, just so.

1670. Did you see Stranger?—Yes, I saw him.

1671. More than once?—Yes, more than once; on several occasions.

1672. Edward Mason?—I will not be positive about Edward Mason.

1673. Joseph Day?—Yes.

1674. James Burgess?—Yes.

1675. Several times?—Yes.

1676. John Swinfen?—Yes.

1677. John Goodwin?—Yes.

1678. Mr. Railton the elder?—Yes.

1679. All those persons you say were continually canvassing with the sitting Members?—Yes; I have seen them several times, and upon different occasions.

1680. Did you go to any of the meetings of the Blues?—Yes; I have been into several rooms.

1681. Did you go into the committee-room of the Bull?—Yes.

1682. Did you see those persons that I have mentioned at different times present in the Liberal committee-room?—Yes, some of them.

1683. I will go through the names again, if you please, and you will tell me whether you wish to make any exception to the names as I call them out?—Yes; there are some of those whom I do not think I saw there.

1684. Mr. Day?—I saw Mr. Day there.

1685. Joseph Day, do you mean, or William?—I saw all three there.

1686. I must go through the names; did you see Misson?—I saw him there several times.

1687. Stranger?—Yes.

1688. Mason?—No, sir, I do not think I did; I will not be sure.

W. Collins.

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1689. James Burgess?—Yes; I have seen Burgess up there.

1690. John Swinfen?—Yes.

1691. Goodwin?—No; I cannot recollect seeing him there.

1692. Mr. Railton the elder?—Yes.

1693. On the polling day did you see Misson several times at the committee-room?—Yes.

1694. Did you see him go in and out several times?—Yes.

1695. And I believe those persons were also present on the hustings upon the polling day?—Yes, they were.

Cross-examined by Mr. Serjeant *Ballantine.*

1696. Misson was a messenger, was he not?—A messenger.

1697. Yes?—I do not know; he appeared to me to be an agent.

1698. Was he not a messenger; did he not carry bills?—No, I never saw him with any.

1699. Will you swear you never saw him with any?—Yes, I will.

1700. What is Misson?—A fishmonger now, and a bargeman.

1701. What are you?—A commission agent.

1702. That is one of the vaguest things in the world. A commission agent, where?—At Maidstone.

1703. Have you a shop or place of business?—Yes.

1704. With your name up?—Not with my name up. I am employed as an agent.

1705. Employed as an agent?—Yes; as a paid agent.

1706. By whom?—By several gentlemen.

1707. You are lucky to be employed by several gentlemen. Agent for what?—I will tell you if you like.

1708. Do?—As a money lender.

1709. Then you are employed by several gentlemen as a money lender?—Just so.

1710. Then I suppose you are a man of capital?—No.

1711. Do you mean, without being a man of capital, you are a money lender?—Yes; I am entrusted with other people's money to do what I like with.

1712. Just let us ascertain a little more about this. If any one wants you, how are people to know where you are to be found?—No. 1, Scott-street, Manchester.

1713. Is your name up there?—No.

1714. What is the description of the place?—"Loan Office" is put up in the window.

1715. It is a loan office?—Yes.

1716. Are you the loan office?—Yes; I live there.

1717. You are the loan office?—I live there.

1718. Is there anything there but you?—No, nothing; only my wife and my family.

1719. You and your wife and family constitute the loan office; how many have you in your family?—I have two.

1720. You don't find, I suppose, that they add to your funds?—No.

1721. Why do you call yourself a loan office?—I do not call myself a loan office; I merely keep an office to lend out money belonging to other people.

1722. Who are the other people?—Several gentlemen.

1723. Several gentlemen?—Yes.

1724. You have got books, have you?—Yes.

1725. And they entrust you with money?—Yes.

1726. And how are you paid?—I am paid by a commission.

1727. A commission of how much?—It always depends upon circumstances.

1728. Have you any objection to naming one of your customers?—I have no objection.

1729. Are they people in Maidstone?—London people.

1730. Perhaps you are a branch of something else?—No, I am not a branch of anything; at least, they do keep another loan office at another place.

1731. Come now, we are getting a little insight into the affairs of this little world of yours. So they do keep an office somewhere else; where is it?—Where is it, Sir?

1732. That is my question; don't make me put it again?—I will tell you in a moment if you will allow me to consider.

1733. Come, you must know; cannot you remember where it is?—It is at a place between Erith and Abbey Wood.

1734. I thought you said it was in London?—I said that those gentlemen whom I worked for were in London.

1735. Where?—I can give you the addresses.

1736. There is an office, is there not?—No; I told you so before.

1737. Where do you go to see them?—They come to see me.

1738. At your place at Maidstone?—Yes.

1739. Don't you ever meet them in London?—No.

1740. Did they never keep an office?—Not in London.

1741. Where then?—At a place between Abbey Wood and Erith.

1742. What is the name of it?—Belvedere.

1743. They kept an office at Belvedere?—Yes.

1744. What was it called?—That I don't know.

1745. You are their agent, and do you mean to say that you do not know their office?—Yes, because I do not do their business there, but at Maidstone.

1746. Do you mean to swear that you don't know what the office is called?—I do.

1747. How came you to introduce it, if you know nothing about it?—I had nothing to do with it.

1748. Why did you mention it?—Because you asked me the names of the gentlemen who employed me.

1749. What is the office?—A loan office at Belvedere.

1750. Whom are you agent to?—To those gentlemen.

1751. What gentlemen; tell me their names?—Field and Hurst.

1752. Are those the only two?—There are more.

1753. Who else?—Hepper.

1754. What is Field?—A printer.

1755. Hurst?—A lard refiner.

1756. Hepper?—A ropemaker.

1757. Then these people trust you with money?—Yes, and have done so for years; ever since 1862.

1758. Have you got monies of theirs now?—Yes.

1759. To lend in Maidstone?—Yes.

1760. At

1760. At how much per cent.?—That all depends.

1761. Do you live yourself at Maidstone?—I do.

1762. How is it that you have no vote?—Because I have not been in the house I now occupy long enough.

1763. You are not on the register?—I do not think I am now, but I was.

1764. By the *Committee.*] You say that when Henry Chambers offered Richardson 10 *l.* for his vote you interfered, because you say you knew that he had made up his mind to vote for the Conservatives; how did you know anything at all about that?—I had been speaking to him previously to Chambers coming to us.

1765. You have no vote yourself, you say?—I have no vote.

1766. Did you take an active part in the election?—No further than that those were my feelings.

1767. These were your opinions?—Yes.

1768. Have you ever voted for the Conservative party?—No, never for any party.

1769. You asked him which way he was going to vote?—I partly knew that his feelings were the same as mine, and I did not want Chambers to interfere.

1770. You took a great interest in the Conservative party?—I took a great interest in him.

1771. You were in the Liberal committee-rooms?—I was in some of them.

1772. I want to know what is the practice as to canvassing in Maidstone; do large bodies of persons go together?—Yes.

1773. Do people not connected with them join those persons?—They might.

1774. Did you ever join any party?—No, I did not; not further than seeing them walk about the town.

1775. You were at the "Nag's Head"?—Yes.

1776. How many do you suppose there were of the canvassing party; you have heard mentioned a great many names; how many do you suppose were there together?—Very nearly 20 persons, I should say.

1777. Were they generally the same persons?—Yes, they were, but it is like this; I might see Mr. Day with them to-day, and might not see him with them to-morrow.

1778. Mr. Serjeant *Ballantine.*] You told Mr. Wells that you were a Liberal, and asked him to let your name remain on the register?—I asked him to register me; I did not tell him I was a Liberal.

1779. You knew that he was the Liberal agent?—Yes.

1780. Why did you go to him?—Because I did not know anywhere else to go to.

1781. Perhaps you did not inquire?—I did not inquire.

1782. Did you not tell him that you were a Liberal?—I did not.

1783. Did you not ask him to withdraw an objection which he, as Liberal agent, had made to your name being on the register?—No.

1784. Will you swear that you have not?—Yes.

1785. Were you on a railway one time?—Yes.

1786. What railway, the South Eastern?—Yes.

1787. How came you to leave?—Of my own accord.

1788. Had anything happened which caused you to leave?—No, I have as good a character as the South Eastern Company ever give a man. I was upon it for many years; nearly 20, I think.

1789. By the *Committee.*] Are you at the present moment on the register?—I don't believe I am.

1790. You asked Mr. Wells to put you on the register, and he has not done it?—He put my name and address in a book, but in consequence of my moving from the house, which I had taken before the election took place, I was not there long enough. After I had let my house that I was in before, I had to remain there three months while the new house I went to was building.

1791. You say you interfered with Chambers giving this money to Richardson, because you were a Conservative?—Well, partly so.

1792. You went to Mr. Wells to put your name on the register, and he took all the necessary steps to do so?—Yes, I was told that either party would do it; I asked a man what I was to do, and he told me to go to Mr. Wells; he said it does not matter which you go to; in fact, I did not know the other party.

1793. Was there no Conservative agent for the registration?—At that time I assure you I did not know whether there was or not.

Re-examined by Mr. *Hill.*

1794. When was that?—Two years ago.

1795. Soon after you came to reside in Maidstone?—At a certain house in Maidstone; I had been in Maidstone many years, but the house I occupied before I took this public house was not so large. I did not require a large house, and therefore I did not pay so much rent.

1796. You spoke of the long time you were on the South Eastern, and the character they could give you; will you tell me what position you occupied upon that railway?—I was head guard for 17 years.

1797. And as to this loan office which you are now conducting for these gentlemen in London, how long have you been conducting it?—Since 1862; I used to be conducting it even while I was on the line in a small way.

1798. To what extent is that business carried on?—The money is lent in small amounts.

1799. What do you call small amounts?—I should say something like 1,400 or 1,500 bills.

1800. For what amount?—For various amounts.

1801. What do you mean by "various amounts"?—From 1 *l.* up to 10 *l.* or 20 *l.* It is for the Company I do it.

1802. You say that this loan society has another office at Belvedere, but with which you have nothing to do?—No.

1803. These gentlemen come to see you?—Yes, when they like.

1804. Come and take you when they like, and at whatever time they please?—Yes, they come and take my papers and books away when they like.

1805. By the *Committee.*] Do you say you keep a public-house as well as this loan office?—No, I did keep a public-house.

THOMAS HEARNDEN, was called in; and, having been sworn, was Examined by Mr. *Hill*, as follows:

T. Hearnden. 18 April 1866.

1806. ARE you an Innkeeper living in the Borough of Maidstone?—Yes.

1807. Were you there at the time of the last election?—Yes.

1808. Did you see the two sitting Members when they were out on the canvass?—Yes.

1809. Will you tell me if you saw these persons, whose names I will repeat to you, with them. I will tell you the names separately. Did you see a person of the name of Tolputt with them?—Yes.

1810. A person of the name of Wells?—Yes.

1811. Grenstead?—Yes.

1812. Misson?—Yes.

1813. Did you see Misson more than once?—Several times.

1814. Rolls?—Yes.

1815. Swinfen?—Yes.

1816. Did you also see them several times?—Yes.

1817. The two Chambers?—Yes.

1818. What are their Christian names?—Thomas and Alfred.

1819. William Day, sen.?—Yes.

1820. William Day, jun.?—Yes.

1821. Samuel Day?—Yes.

1822. Joseph Day?—Yes.

1823. Did you also see them several times out canvassing with the sitting Members?—Yes.

1824. Jewell?—Yes.

1825. Baverstock?—Yes.

1826. Stanger?—Yes.

1827. Brown?—Yes.

1828. Railton?—Yes.

1829. Which Railton?—Young Mr. Railton.

1830. I do not know whether you were in any of the committee-rooms?—No, never at all.

1831. All those persons whose names I have mentioned to you, you saw go out with the canvassing party?—Yes.

Cross-examined by Mr. Serjeant *Ballantine*.

1832. What do you mean by "the canvassing party;" do you mean the sitting Members were calling upon the electors, and asking them to vote for them?—Yes.

1833. There were a great many more besides those which my friend has mentioned?—Yes.

1834. By the *Committee*.] How many persons do you suppose were together?—Do you mean all round, at one time?

1835. Yes?—I daresay there might be 20 or 30.

1836. By Mr. Serjeant *Ballantine*.] And I suppose they rather accumulated than decreased, as they went along?—It was at different times that I saw these people together.

1837. I suppose as they walked round the town, people joined them?—I did not see them again.

1838. Did you see the other side canvass?—Yes.

1839. Were there as many of them?—I should say there were 20 or 30 of them.

1840. Then, that seems to be the custom at Maidstone?—Sometimes less and sometimes more.

1841. How long have you been at Maidstone?—All my life-time.

1842. There is a permanent Conservative committee, is there not?—That I do not know.

1843. There are gentlemen who attend to the registration?—Yes, there is that.

1844. Who attend to it regularly, on one side and on the other?—Yes.

1845. Do you know what messengers are?—I have seen several.

1846. Now, about these names which have been mentioned; some of them were messengers, were they not?—Not that I am aware of.

1847. You do not know whether they were or not?—They were all round with the sitting Members canvassing.

1848. Did you go into any place with them?—I did not.

1849. What was it that you saw any one of them do?—I saw them going round the town with the Members soliciting the people for their votes.

1850. There is the Member soliciting the people?—

1851. These people would not be soliciting them if the Members were with them?—I do not know that.

1852. It was either Mr. Lee or Mr. Whatman who solicited the votes?—Neither Mr. Lee nor Mr. Whatman came into my house, but two or three of the other parties who were with them did.

1853. Who solicited you?—Mr. Day.

1854. Which of the Days?—The old gent.

1855. You are a "Purple"?—I voted for Mr. Whatman the first time he put up, and I have voted for a Conservative ever since.

1856. You have become a rather active Conservative, have you not?—No; I do not interfere with them very much.

Re-examined by Mr. *Hill*.

1857. Among this voting party you say there were people who went round with a sitting Member?—Yes.

1858. Is this the practice at Maidstone; when they come to a house, the party living in which is known to any of the party, that that person introduces the Member to the voter?—Yes.

1859. Mr. Serjeant *Ballantine*.] Did you see them go into any house?—Yes.

1860. Mr. *Hill*.] Is that the practice that you have mentioned?—It is.

1861. That when one of these people come to the house where he is known, he introduces the candidate to the voter?—That is true, he does do so.

1862. By the *Committee*.] Did you see any of those persons with canvassing books in their hands, or were they merely idly walking along?—I did not notice any books in their hands; I only saw them going into different houses along with the sitting Members.

1863. Had any of them books in their hands; had either the sitting Members, or any of the other persons, books in their hands?—I never saw any of them with books.

Mr. Serjeant *Ballantine* requested to be allowed to put another question to the Witness.

The Committee acquiesced.

1864. By

1864. By Mr. Serjeant *Ballantine.*] On these occasions, have you always seen Mr. Wells with the sitting Members?—Not always.

1865. But you have generally?—Yes, several times.

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WALTER POTTER, was called in; and, having been sworn, was Examined by Mr. *Hill*, as follows:

W. Potter.

1866. You live in Maidstone, do you not?—Yes.

1867. Are you a voter?—No.

1868. Were you employed at the last election?—Yes.

1869. What as?—Colour carrier.

1870. And did you carry the colours?—At times I did.

1871. For whom?—For a man of the name of Burgess.

1872. Whose colour did you carry?—Burgess gave me the colours to carry.

1873. What colours were they?—Blue.

1874. Who employed you?—Burgess.

1875. Is that James Burgess?—I do not know his other name.

1876. Do you know any other person of the name of Burgess living in the town of Maidstone?—Yes, there are several persons of the name of Burgess.

1877. Is he a person called or known by the name of "Boney" Burgess?—Yes.

1878. How many of you were there who carried the colours?—I cannot say; I should think 40 or 50.

1879. When were you employed?—I did not take any notice of the date when I was employed.

1880. How long before the election?—Some days before the election I was spoken to, one evening.

1881. How many nights did you carry the colours?—Two.

1882. Did you go with the band round the town?—Yes.

1883. What were you paid for your services?—Half-a-crown.

1884. What were you paid on the polling-day?—Five shillings and sixpence.

1885. Who paid you?—Burgess.

1886. Where did he pay you at?—The "Flower Pot."

1887. Did he pay the other men there at the same time?—Some portion of them.

1888. How many of them?—I could not say.

1889. Ten, fifteen, or twenty?—I should think he might.

1890. Which?—

Mr. Serjeant *Ballantine* stated that this point need not be gone into, that he admitted that Burgess paid the colour men.

1891. Mr. *Hill.*] How many?—He paid a great number while I was there.

1892. Do you mean a dozen or 20?—I did not take particular notice.

1893. However, they were paid by Burgess?—Yes.

Mr. Serjeant *Ballantine* stated that he had no question to ask of the Witness.

THOMAS STANDEN, was called in; and, having been sworn, was Examined by Mr. *Hill*, as follows:

T. Standen.

1894. ARE youa Drover living in Maidstone?—Yes.

1895. Were you living in Maidstone a few days before the election?—Yes.

1896. Do you know Misson?—Yes.

1897. Did you meet him a few days before the election at the top of Week-street?—Yes.

1898. Did he say anything to you?—I was talking to a man of the name of Holloway.

1899. When Misson came up to you?—No; I was talking to a man of the name of Holloway, and Misson called out to me, and asked me if I knew which way Holloway meant to vote.

1900. By the *Committee.*] Is he a voter?—He is not a voter.

1901. Mr. *Hill.*] What did you say to Misson?—I said, "Misson, I don't know which way he intends to vote, but I think he will vote the way in which he will get the most money."

1902. What did Misson say about that?—He said, "I could get him from 8 *l.* to 10 *l.* if he will vote for Lee and Whatman."

1903. Go on and tell us what else Misson said?—I saw Misson a few days afterwards.

1904. Did Misson tell you to speak to Holloway about it?—Yes.

1905. What did he tell you to ask Holloway?—He told me to tell Holloway that he could get him 8 *l.* or 10 *l.*

1906. By the *Committee.*] Misson said this to you?—

1907. Mr. *Hill.*] After that you spoke to Holloway about it?—Yes.

1908. Did you tell Holloway what Misson said?—Yes.

1909. By the *Committee.*] You told Holloway this?—Yes.

1910. Mr. *Hill.*] What was the next thing that took place between you and Misson about Holloway's vote?—I saw Holloway after that.

1911. When?—The day after.

1912. Was that the election morning?—Yes.

1913. What time?—About 10 o'clock. Holloway and I were together.

1914. And you saw Misson?—Yes.

1915. Where were you?—In front of the "Star."

1916. What did Misson say to you?—He called me away and asked me if I had spoken to Holloway, and I said "Yes." He asked me what he said, and asked me which way I thought he was going to vote; I said, "I think he will vote with the way he gets the most money with."

1917. Mr. Serjeant *Ballantine.*] You told me that before?—I know I did; but this is another occasion. This is in front of the "Star." Misson saw me talking to Holloway, and he asked me if I had told Holloway what he had said, and I said "Yes"; and he called me across the road to him, away from Holloway, and he says, "I will give him eight sovereigns if you think he will take it."

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1918. Mr. *Hill.*] Well, what then?—I went back and asked Holloway.

1919. What did he say?—He says, "You go and get the money, and I will vote." And after I got the eight sovereigns Holloway would not vote.

1920. After you had seen Holloway, and he had consented to take the eight sovereigns, did you go to Misson?—Yes.

1921. Did you get anything from Misson?—Yes; he called me away from Holloway, and gave me 8 *l.*

1922. What did he give it you in?—Eight sovereigns.

1923. Then you say you went back to Holloway?—Yes.

1924. What took place with Holloway when you got back?—He said, "Give it to me, and I will go and vote"; but Misson told me not to give it to him before he went and voted.

1925. When Holloway asked you to give it to him, what did you say?—I said, "You go and vote, and I will give it you, and not before." Misson told me.

1926. What did Holloway do?—Holloway walked away, and said, "I will not take eight sovereigns; I want 12"; and Misson would not give any more.

1927. Did you go to Misson and tell him what Holloway said?—Yes; and gave him the eight sovereigns back.

Cross-examined by Mr. Serjeant *Ballantine.*

1928. Is Standen your right name?—Yes.

1929. You were employed by the Conservatives, were you not?—No.

1930. Were you not engaged by the Conservatives?—Not that I know of. I never had anything for it, if I was.

1931. Never had anything for it, if you was?—No.

1932. Just tell me where this was spoken of, where you say Misson gave you the eight sovereigns?—Opposite the "Star" hotel, at Maidstone.

1933. Is Holloway here?—I don't know.

1934. What way did Holloway vote?—I think he voted for the Tories.

1935. You know he did, don't you?—No.

1936. Did he get his 12 *l.*?—I don't know. He never had it from him.

1937. Did you do anything for the Tories in that way?—No.

1938. Did you give no money, or offer any, but this 8 *l.*?—No.

1939. Will you swear that?—Yes.

1940. Never offered anything to anybody?—No.

1941. Do you know George Dan?—Yes.

1942. When did you see Holloway last?—Saturday, I think.

1943. Is he coming up here?—I don't know.

1944. You saw him on Saturday?—Yes.

1945. Had you any conversation with him?—I told him I had got a paper to come up here.

1946. Did he ask you what about?—No.

1947. Is he here to-day?—I don't know. I have not seen him.

1948. You say you are not a voter?—No.

1949. What are you by business?—A drover.

1950. Have you ever been in a little scrape?—No, never.

1951. Were you ever in the employment of a butcher of the name of Dunn?—No.

1952. Never got into a scrape there?—No.

1953. Never had any charge brought against you for anything?—No. I have worked for Mr. Dunn for these ten years.

1954. Are you working for him now?—Yes, when I am at home.

1955. Whom did you tell this story to, of the eight sovereigns; how came you to offer eight sovereigns?—Misson knew me, and I knew Holloway.

1956. Why did he not offer Holloway without your interference?—I do not know; that is not my business.

1957. Why should he bring you in?—I don't know.

1958. Did he take the eight sovereigns out of his own pocket?—Yes.

1959. Did he seem to have many more?—I did not notice.

1960. What wages did you get?—Sometimes 2 *l.* or 3 *l.*, and sometimes not 1 *l.*

1961. Did you not want a little of this money yourself?—If I did I did not get any.

1962. Was you doing this for nothing?—It was all for nothing.

1963. You seem almost laughing at yourself about that?—I never had any money given to me for this.

1964. What did you mean to get?—All I could, but I did not get anything.

1965. From whom?—From anybody who liked to give it to me.

1966. Can you give me any notion at all why Misson should have spoken to you about it, and why he said he employed you, if he knew Holloway?—He saw me talking to Holloway.

1967. He could have talked to him himself, could he not?—I dare say he could.

1968. I dare say he required a witness to see the money offered, and to prove it?—I do not know.

1969. How is Jesse Kirby?—Jesse Kirby?

1970. Yes?—I see him just now.

1971. Was he pretty well?—He was pretty well when I saw him.

1972. Did you see him just now?—No, I saw him this morning.

1973. Were you here yesterday?—Yes.

1974. Did you see Jesse Kirby?—Yes.

1975. You heard a conversation with Jesse?—I might have had a little chat with him.

1976. You are not ashamed of Jesse?—No.

1977. Rather proud, perhaps, of his acquaintance?—I don't know that I am; I am not much acquainted with him.

1978. You know him pretty well?—I know him by sight.

1979. Kirby has a great respect for you?—I don't know.

1980. Did you tell him about the 10 *l.*—Yes, sir; no, sir, I told that gentleman there.

1981. Now, wait a minute, and don't your hat. Which do you mean, yes or no. Did you tell Jesse Kirby?—Did I tell him?

1982. Now, my good friend, why do you ask me the question; I put it to you?—I told that gentleman there.

1983. Never mind that gentleman; that gentleman is a safety valve?—I told that gentleman there.

1984. I say, never mind that gentleman. I want to know about Jesse Kirby. I shall have it

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it out of you before I have done with you?—Yes.

1985. You know that, don't you?—Yes.

1986. I think you and I have met at Maidstone, have we not?—Very likely.

1987. I thought so. Now tell me this; I am sure we shall have it all out presently; did you tell Jesse Kirby?—No.

1988. Will you swear you did not?—Yes.

1989. Do you mean to swear you did not tell Jesse Kirby?—I do.

1990. Did Jesse Kirby ask you?—No.

1991. Did not Jesse Kirby ask you?—I say no.

1992. Do you swear he did not?—I have said so many times.

1993. I know you have said so, but will you swear it?—I have said so many times.

1994. Had you any talk with Jesse Kirby yesterday. Did not Jesse Kirby know what you had come up for?—I dare say he might.

1995. Did he not?—I don't know that he did or not.

1996. Did he not talk to you about it?—Not until Saturday night; he did then; but I have not seen him since.

1997. Saturday night; you had plenty of time on Saturday night to talk about it. What did he say to you?—He gave me two bits of paper.

1998. Nothing else?—Yes, a sovereign.

1999. That comes in nicely on a Saturday night; what did he say to you?—He told me to come to London on Tuesday.

2000. What for?—As a witness.

2001. When were you examined about it?—Four months ago.

2002. Who took you up to be examined?—I came out of the Maidstone Market.

2003. Who took you out. Did you come up with Jesse Kirby?—Yes.

2004. Do you mean to say that Jesse Kirby did not know what evidence you were going to give?—Not before I told him.

2005. When did you tell him?—When I paid it to that gentleman.

2006. Did Jesse Kirby hear you tell it to that gentleman?—Kirby was there a part of the time.

2007. With that gentleman?—Yes.

2008. Listening to the evidence given by the witnesses?—Yes, only one witness. There was only me.

2009. You gave back the eight sovereigns, of course?—Yes, I did.

2010. You must have felt that very much?—I should like to have had it myself.

2011. Very likely, but you will get it, will you not?—I hope so.

2012. Have you not done eight sovereigns' worth of work for them yet?—I don't.

2013. No doubt you will get it?—I hope so.

Re-examined by Mr. *Hill.*

2014. You are in the misfortune of not being a voter, and so you have not got your 8 *l.*?—No.

2015. You might have had it if you were?—I might.

2016. You say you were taken out of the Maidstone Market to give this evidence?—Yes.

2017. That was four months ago?—It may be five months ago.

2018. Was the account that you gave them the same as you have given now?—I think so.

JOHN CARTER, was called in; and, having been sworn, was Examined by Mr. *Hill*, as follows:

J. Carter.

2019. ARE you a Waiter at the "Bull" Hotel, and were you waiting there at the time of the last election?—Yes.

2020. I suppose Messrs. Lee and Whatman's committee-room was there, was it not?—Yes.

2021. The committee met there for some five or six weeks, did it not?—Yes.

2022. How many times a week did they meet?—Sometimes twice.

2023. And sometimes more?—Not more than twice.

2024. Will you tell me if these persons, whose names I will mention, attended upon the committee, and if I come to any that did not, tell me so at once; did you see a man of the name of Horace Cutbush?—Yes, frequently; sometimes he was chairman.

2025. He was chairman?—Yes, frequently.

2026. Did you see Goodwin there?—Yes; Mr. John Goodwin.

2027. Mr. Tolputt?—Yes.

2028. Williams?—Yes.

2029. Mr. Wells?—Yes.

2030. James Burgess?—Yes.

2031. Did you see James Burgess there often?—Yes, frequently.

2032. Misson?—Yes.

2033. Was Misson a frequent attendant at that committee-room?—It was very seldom that he missed.

2034. Thomas Chambers?—Yes.

2035. Stanger?—Yes.

2036. Was he there pretty frequently?—Yes, sometimes chairman.

2037. Swinfen?—Mr. John Swinfen.

2038. Was he chairman?—No, I do not know that he was.

2039. William Day?—Yes.

2040. Samuel Day?—They both attended the meetings.

2041. Do you mean the meetings of the committee?—Yes.

2042. When you say he attended the meetings of the committee, what do you mean?—There were meetings besides committee meetings.

2043. Did you see Day attend the committee meetings?—That I cannot say.

2044. With the exception of Day, all those who I have put before you attended the meetings of the committee?—Yes.

2045. Meetings at which nobody but committee-men were present?—Yes.

2046. And were on the committee?—Yes.

2047. They were on the committee that was sitting at the "Bull"?—Yes.

2048. Were any of the Day's on that committee?—Yes, Mr. Samuel Day was on the committee.

2049. I believe that when Mr. Lee stopped in Maidstone, he stopped at the "Bull"?—Twice or three times.

2050. I suppose he did not often stay in Maidstone?—No.

2051. Did Mr. Whatman sometimes stay at the "Bull"?—No.

2052. He called there sometimes?—Yes.

2053. And were boards hungout of the "Bull" with the words "Lee and Whatman's committee-room" upon them?—Yes, "Lee and Whatman's committee room" upon them.

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2054. Upon the day of the election there was a room in a house opposite used as a committee-room, was there not?—Yes.

2055. In an empty house opposite?—Yes.

2056. Was there a committee held there on the day of the election?—Yes.

2057. Did you see the members of the committee, on the day of the election, go from the committee-room of the "Bull" into this committee-room in an empty house opposite?—No, I saw some of them in the room.

2058. In the room opposite?—Yes.

2059. I suppose you took refreshments across there?—Yes.

2060. Do you recollect that both Misson and Burgess were at those rooms on the election day?—Yes.

2061. And John Swinfen?—Yes.

2062. And old William Day?—Yes.

Mr. Serjeant *Ballantine* stated that he had nothing to ask the Witness.

HENRY JAMES NOBLE, was called in; and, having been sworn, was Examined by Mr. *Hill*, as follows:

H. J. Noble.

2063. ARE you a Labourer, living in Maidstone?—Yes.

2064. Are you a voter?—No, I am not.

2065. Do you know Samuel Day?—I do.

2066. Sometimes worked for him, have you not?—I have.

2067. What is Samuel Day; I do not know that I have had that stated yet?—He is a gentleman in Maidstone town.

2068. What is he by trade; is he anything by trade?—A coal merchant.

2069. Then it is in his business of a coal merchant that you have worked for him?—Yes.

2070. Did Samuel Day speak to you upon the subject of obtaining votes at the election?—He did not.

2071. Did you go on the night before the election to the house of a person of the name of Clegg?—I did; Thomas Clegg.

2072. By the *Committee.*] Did you say the day before the election?—Yes.

2073. Mr. *Hill.*] What time of day was it?—In the evening.

2074. Clegg is a person who can hear but cannot speak?—Just so.

2075. What did you say to Clegg; did you go to Clegg with any message from Samuel Day?—I told Clegg, or, more properly speaking, I spoke to him; I said that if there was any chance of his getting 5 or 10, would it be a help to him.

2076. Five or 10 what?—Five or 10 pounds.

2077. By the *Committee.*] Do you mean that you said this?—I said this.

Mr. Serjeant *Ballantine* objected to the question, and stated that he did not understand his friend to contend that this person was one of the agents of the sitting Member; and the Witness had already said that Samuel Day did not say anything to him.

Witness.] Not upon that point.

Mr. *Hill.*] I was rather wrong in the way I put the question. I ought to have put that question first, instead of second.

2078. Did Samuel Day say anything to you about giving a 5 *l.* note?—No, he did not.

2079. Did Samuel Day send you with any message to Clegg?—He did not.

2080. Did he give you any message, as to voters that could do any good might come to him, and that they might have 5 *l.* a piece?—He did.

2081. Will you tell us what it was that Samuel Day said upon that point?—Mr. Samuel Day said, that if, providing there was any person in Maidstone that he knew, and that they could do themself any good by 5 or 10 pounds, he was the one to look to.

2082. Mr. Serjeant *Ballantine.*] Did you say "Do it"?—

Mr. *Hill.*] No; he said "Look to." Which did you say?—

Witness.] To do it, if you like.

2083. Was it in consequence of that that you went to Clegg?—It was.

2084. It was in consequence of that you went to Clegg?—Yes.

2085. What was it you said to Clegg?—When I went into the house on the Bank, I asked whether Clegg was in doors, and the wife was there, and the daughter, I believe, and I told them my business. I knew that the man had been lying in doors for some considerable time, and had been deprived of speech; and, consequently, I thought it would be something to his advantage if he got 5 *l.* or 10 *l.* for anything of the kind.

2086. What do you mean by "anything of the kind"?—Anything of the kind for his vote.

2087. Had he been deprived of his speech by an accident; you said that he was lying in doors?—No, he was paralytic.

2088. You told this to Clegg; I do not know in what way he gave his answer, because you tell me he could not speak; how did he answer you?—The fact is, there is nothing but a mum, mum, from him; but you will find his daughter here, who will be able to tell you something. The wife is not up here, I believe; but they were the persons I spoke to about it.

2089. The daughter was present, and she answered on behalf of Clegg?—The mother did.

2090. By the *Committee.*] Does Clegg understand what you said to him?—Upon my word and honour, I don't believe he did. He might hear what you said. If a man is dumb he can use his hand; you understand that, gentlemen.

2091. Mr. *Hill.*] How long has he been paralytic?—Some 9 or 10 months.

2092. You believe he did vote?—That I cannot say.

2093. Were you at Sam Day's office, at the water-side?—I was at the coal office, at the water-side.

2094. Do you know a man of the name of Mason?—I know Mr. Mason, the brewer.

2095. Edward Mason?—Yes.

2096. Did you see him and Alfred Chambers at Day's?—I did.

2097. Were they there on election matters?—I cannot say.

2098. What did you see him doing?—They were very busy.

2099. Doing what?—I could not tell.

2100. Were

2100. Were they there upon the election day?—Yes.

2101. Were they with any voters?—Yes; I saw them with voters.

2102. What were they doing with the voters?—Not Mr. Mason. Mr. Day was with the voters.

2103. What was Mr. Day doing with the voters?—Mr. Day was in his office, and he was closeted there with one or two.

2104. Did you see him going up to the poll with any of them?—I believe he went up with one.

2105. Which was that?—I think it was a milkman.

2106. Do you know his name?—To tell you the truth, I am not acquainted with the names. If you tell me the name I think I can tell you.

Mr. Serjeant *Ballantine.*] I dare say you can.

2107. Mr. *Hill.*] Was it a man of the name of Apps?—That is better; that is his name, John Apps.

2108. He went up to the poll with Apps?—I believe he did.

2109. Did you see Burgess, which you call the man whom you have called "Boney" Burgess, in and out that day?—He was very busy.

2110. In the matter of the voters?—I think so.

2111. You kept the door of Day's office on that day?—I was merely outside porter.

2112. I don't know what the duty of an outside porter is, if it is not to look after the door. Did you look after the door?—Yes.

2113. That is what I call keeping the door; did you on that day, the day of the election, go from Mr. Day with messages to the different committee-rooms?—I did.

2114. Did you go with a message to Mr. Day from the committee-room at the "Haunch"?—Idid.

2115. And then did you go with a note to the "Bull" for Mr. Day?—I did.

2116. And there did you see Mr. Wells?—Yes.

2117. Did you receive from Mr. Wells a verbal reply to whatever the note was?—There was no reply to that note.

2118. Were you told that there was no reply?—No reply.

2119. Which of the two rooms did you go to?—It was one and the same thing. It was on the other side of the way that I went.

2120. Which side of the way was it that you went to?—On the opposite side.

2121. That is the one that was in the empty house?—Yes.

2122. You went into the committee-room at the "Haunch"?—I did.

2123. Was Joseph Day there on the day of the election?—Yes.

2124. Was Mason there?—Yes.

2125. Going in and out at different times?—Yes.

2126. Did you see Misson there?—I saw him there several times.

2127. Did you see Charles Askew going in and out of the committee-room on that day?—I did.

2128. Samuel Day?—Yes.

2129. William Day?—William Day.

2130. Yes?—I cannot say.

2131. Alfred Chambers?—I did.

2132. Thomas Chambers?—I did.

2133. You have told me of this man of the name of Apps that you saw there, and whom you saw this man Day take to the poll; how long was Samuel Apps at Day's before they went out?—How long was he with Mr. Day?

2134. Yes?—I suppose he was closeted with Mr. Day from 25 to 35 minutes.

2135. I believe you went during the time that Apps was with Day to Askew?—I did.

2136. And you found that Askew was not at home?—He was not at home.

2137. You afterwards saw Askew?—Sir.

2138. You afterwards saw Askew, did you not?—I did.

2139. And did you give him a message from Mr. Day?—I told him what was told me.

2140. What was that?—That they wished to see him, and he said it was all right.

2141. Did you say where they wished to see him?—Mr. Misson wished to see him, and he told me that it was all right.

2142. Do you know a carpenter of the name of Day?—I believe I do.

2143. What is his Christian name?—I believe that is his name.

2144. What is his Christian name?—That I cannot say; I believe his name is Day. He lives in Pudding-lane, Maidstone.

2145. Is he a voter?—Yes.

2146. Did you see him down at Samuel Day's in the course of that day?—I did, if it is the same man.

2147. I am told it is William Day; was he also closeted with Samuel Day for some time?—He was.

2148. After he went away, did Samuel Day say anything to you about him?—He did.

2149. What was it he said?—The observation he made to me was, "I have just saved one from going up yonder."

2150. Where was "yonder"?—That is to the county gaol. That is, where there was a large stone wall.

2151. By the *Committee.*] Saved a man?—Yes.

2152. Was that after the carpenter, the voter, had gone away?—Yes, it was all done then.

2153. Which Mr. Day said this?—Mr. Samuel Day.

2154. Mr. *Hill.*] Did he say anything more to you about him?—No, he did not.

2155. Did he not say anything to you about a note or 5*s.*?—I received 5*s.*

2156. Who received 5*s.*?—I did.

2157. From whom?—From Mr. Thomas Day, I believe it was.

2158. Was there anything more said about the carpenter who went away?—No.

2159. There was nothing more said?—No.

2160. You were paid for your day's services?—I don't know about being paid. I received a portion of money.

2161. How much was it?—Five shillings. That is very liberal.

2162. I believe they gave you a note, thanking you for your services?—Very liberal indeed.

Cross-examined by Mr. Serjeant *Ballantine.*

2163. What are you?—A labourer.

2164. At what?—Anything that I can get to do.

2165. Are

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2165. Are you in any employment?—No, not general.

2166. Mr. *Hill.*] There is one thing which I have forgotten (*to the Witness*). Did you say that you had this payment of money from——?—I believe it was Mr. Thomas.

2167. Was Samuel Day present when you were paid?—No, sir, only our two selves.

2168. Mr. Serjeant *Ballantine.*] You are a labourer with an undefined employment?—I am.

2169. What do you get, what do you make?—Sir.

2170. What do you make?—Make?

2171. Yes; what wages?—As employment?

2172. Yes?—That all depends.

2173. Are you in any employment?—I am. I am on the county business, and a very good business that is; it turns the people out that will not pay their reckonings.

2174. You mean the system which is in force for the administration of the law of the country?—Yes.

2175. You are not a victim to it?—No.

2176. What do you call yourself, shortways?—I can go through the programme of my career for some years, if you like.

2177. No, for goodness sake, don't do that; what do you call yourself now?—A labourer.

2178. A labourer in the county court?—He is not a mechanic.

2179. Don't you call yourself anything else but a labourer?—No.

2180. What do you get for your labour in the county court?—That all depends.

2181. Do you mean that you are a gentleman who takes possession?—Yes.

2182. And serves writs; prócesses?—At times.

2183. In short, you live upon the distresses of mankind?—I suppose so.

2184. What is Samuel Day?—Mr. Samuel Day is a gentleman.

2185. How is it, then, that Samuel Day, whom you say is a gentleman, should be so uncommonly friendly with you, whom you know do not quite fill the same position that is considered the best in the world; how is it that Samuel Day confides in you, that he is ready to bribe as many people as will come to him?—What did you say. Did you say that Samuel Day was not a gentleman.

2186. On the contrary, I know nothing except that you say he is a gentleman, nothing against him at all; what I want to know you will not find in that hat; it is not deep enough for that?—All right, I shall be able to speak to you presently.

2187. I want to see you put your hat down?—You can see me, at least my phisioge.

2188. How is it that Mr. Day has confided so much to you, that he is ready to bribe as many as come to him?—He would not bribe any one. It is one of the worst places, down at Maidstone, to bribe any one.

2189. Only those I suppose whose necessities require it?—Yes.

2190. Did you bribe anybody?—No.

2191. I daresay nobody would take it?—Not from me, because I had not the means of doing it.

2192. What was it you got for this prevailing business?—Me?

2193. Yes?—Very likely I might have got something for it if it was done.

2194. And you did all you could?—No doubt of it.

2195. You tried to do it?—Undoubtedly I did.

2196. You worked away at Clegg very hard, did not you?—I did.

2197. Did you not get paid for that?—I got 5 *s.*

2198. Five shillings for Clegg?—No, 5*s.* for all.

2199. Five shillings for everything you did?—That is what they call "liberal."

2200. It is not what you call liberal?—It is your view; you are for the Liberal party.

2201. Now, I have asked the question, which I am now going to put to you, of everybody, and I cannot resist the temptation of putting the same to you; how is Kirby?—Who?

2202. Jesse?—Jesse?

2203. Yes, how is Kirby?—He is a gentleman.

2204. Oh, Kirby, he is a gentleman, is he?—Yes.

2205. And has acted as such to you?—Well, as regards that, I know nothing at all about that man; I have known him for some years, but not anything about money, or anything of that kind.

2206. Did Jesse Kirby know that you were coming up?—I dare say; it is very likely.

2207. Did you tell him that you were coming up?—Probably I did.

2208. Did you, as a matter of fact?—Well, come now, really I think I did, when we were at the railway station, when we were coming up.

2209. I thought you did; what did you tell him?—That I was coming up to London.

2210. For what?—Merely coming up to the House.

2211. Merely to join in the administration of justice here?—That I was coming up to try something.

2212. You did not know it was a Maidstone Election Petition?—On my word of honour, I did not know it.

2213. Then, upon my word of honour, I will not ask you another question?—Very well.

Re-examined by Mr. *Hill.*

2214. I suppose you all had your talk about it?—Yes.

Sarah Ann Clegg was called in; and, having been sworn, was Examined by Mr. *Hill,* as follows:

S. A. Clegg.

2215. You are a daughter of Thomas Clegg?—Yes, sir.

2216. He is laid up, I believe?—Yes.

2217. Paralytic?—Yes.

2218. He was a voter at the last election for the borough of Maidstone, was he not?—Yes.

2219. And he voted for Wardlaw and Betts?—Yes.

2220. Do you know the last witness who was in the room, Noble?—Yes.

2221. Do you recollect the night before the election?—Yes.

2222. The 11th of July?—Yes.

2223. Did Noble come to your father's house on that day?—Yes.

2224. Were

2224. Were you in the room?—Yes, I was present.

2225. What did Noble say to your father?—He said he would give my father 10 *l.* if he would vote for Mr. Lee and Mr. Whatman.

2226. By the *Committee.*] Who said that?—Noble.

2227. Mr. *Hill.*] Did he say who he had been sent by?—Mr. Day.

2228. Which Mr. Day?—Samuel Day.

2229. Samuel Day of the Waterside?—Yes.

2230. Your father, I believe, cannot speak?—No.

2231. You understand his signs very well?—Yes.

2232. How long has he been laid up, 18 months?—Yes.

2233. So that you can understand his signs?—Yes.

2234. What sign did he make to Noble?—He signalled "No."

2235. Noble then went away?—Yes.

2236. On the morning of the election, did Noble call upon you again?—Yes, he did.

2237. Did he ask you again with reference to your father's vote?—Yes.

2238. What did he say?—He said he would give him the 10 *l.*

2239. What did you tell him?—I told him no, it was of no use asking him about it.

2240. And your father voted as you told us?—Yes.

2241. Did Samuel Day and Alfred Chambers come past your house on the day of the election?—Yes.

2242. Did Samuel Day speak about your father's vote?—Yes, and father had voted.

2243. What did Day say?—He asked me if my father had voted; I told him he had, and he said, if he had not, he would give him 10 *l.* directly, in a minute.

2244. Who said that?—Samuel Day.

2245. Had Samuel Day, before the election, called upon your father?—Yes.

2246. He had?—Yes.

2247. Had he seen your father?—I do not know whether he had or had not.

2248. You do not know whether he had seen him?—No.

2249. Did he speak to you about your father's vote?—No.

2250. Did he at any time before the election speak to you, or any of you, about your father's vote?—No.

2251. Or to your father?—I do not know whether he did to my father.

Cross-examined by Mr. *Henry James.*

2252. Is that the first time that Noble had ever been to your house when he spoke to your father?—No.

2253. How long had you known Noble?—Not so very long.

2254. About how long?—About a month or two.

2255. How did you know him before; what had he been doing at your house?—He had never been to my house before.

2256. Then how had you known him?—Known him by hearsay.

2257. You had known Noble to speak to before?—I have spoken to him as he passed the door.

2258. You had known him about a month. Had he spoken to you in the street?—Yes, he had spoken to me in the street.

2259. He had spoken to you in the street; what had he spoken to you in the street about?—I do not know.

2260. Now, come, you must tell me what it was about; what did this man, Noble, speak to you in the street about?—He never asked me anything about the election.

2261. I do not say he did; but what I want you to tell me is, what he spoke to you in the street about?—I had known him by hearsay.

2262. You say he had spoken to you; what had he spoken to you about?—He only spoke to me, and passed the time of day; nothing further.

2263. Did you know who he was?—No.

2264. Did you know where he lived?—No.

2265. Did you know anything about him?—No.

2266. Then, when he spoke to you in the street, and passed the time of day, did you speak to him in reply?—Yes.

2267. Was that in the evening?—In the day time.

2268. What did you think of this man, who was a stranger to you before speaking to you in this manner?—(*No answer.*)

2269. Was he a stranger to your father?—No, I do not think he was a stranger to my father.

2270. Had you ever seen him at the house before?—No I had not.

2271. What makes you think that he was not a stranger?—I believe he worked on the water the same as my father.

2272. How long had your father kept the house?—Eighteen months. He can walk about.

2273. Does he walk about?—Yes.

2274. When he came in, did your father appear to know him?—Yes, I think he did.

2275. Did you know him?—Yes.

2276. Did you let your father see that you knew him?—No.

2277. Why not?—I don't know.

2278. Why did you keep back from your father that you knew him?—I don't know.

2279. Why did you not pass the time of day to him then?—I did pass the time of day.

2280. Why did you not let your father know that you had spoken to him before?—I did let him know that I had spoken to him before.

2281. When he came into the house, what did you say to your father about knowing him?—My father asked me if I knew him, and I said yes.

2282. What did your father say, by signs; did he say do you know this man?—Yes.

2283. Had you shown to your father that you knew him by shaking hands or bowing to him?—I told my father that I had known the man by passing the door and talking to him.

2284. You told your father that?—Yes.

2285. Do you know a man of the name of Nurse?—Yes.

2286. How long have you known him?—Three or four years.

2287. Has he been coming to your house?—Yes.

2288. I am instructed to ask this question, and I must trouble you to answer it; have you had a child?—Yes.

2289. Have you had a child?—Yes.

2290. By him?—Yes.

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2291. You have had this child by him (Nurse)?—Yes.

2292. Has Nurse been to you on the subject of giving evidence here?—No.

2293. Upon your oath. I will call your recollection to a fact or two. Pray be careful. Did he not ask you to come to give evidence. First of all, just tell me what the christian name of Nurse is?—George.

2294. Did not George Nurse come to you and ask you to give evidence and promise you a silk dress if you would do it. Just think before you answer that?—Yes, he did.

2295. What made you tell me a minute or two ago, that he had not spoken to you about the election, about coming here to give evidence. Can you tell me?—(*No answer*).

2296. Can you tell me, Miss Clegg?—No.

2297. Did you know at the time you told me that, that it was untrue?—He had never been to me about it.

2298. You went to him probably?—Yes.

2299. You meant that, when you gave the answer which you did to my question?—Yes.

2300. When you said "no," when I asked you "Has Nurse been to you on the subject of giving evidence here," you meant that?—Yes.

2301. You recollected that you had been to him?—Yes, I knew that.

2302. You knew it at the time you answered my question?—Yes.

2303. What did you go to him about?—I went to see him.

2304. When was it that you first talked to him about the election?—When did I talk first?

2305. What did he say about the silk dress?—He said that if I would go, he would give me a silk dress. He asked me to go because I was present when he came to my father.

2306. When Noble came?—Yes.

2307. Then you said that you would go?—Yes.

2308. You have not had the silk dress?—No.

2309. Perhaps you know these parties by their colours?—Yes.

2310. You knew that this man was a "purple?"—I don't know.

2311. Now, the next step in the proceedings after the promise of the silk dress was this; Jesse Kirby called on you?—Yes, he did call on me.

2312. And Kirby took you to Mr. Goodwin?—No, Mr. Goodwin came to see me.

2313. Let me see the process; a promise of a silk dress, then Jesse Kirby came to see you, and then Mr. Nurse came to you?—Yes.

2314. Just let me ask you who was to give you the silk dress, Nurse?—Yes.

2315. Has he ever given you a silk dress before?—Yes, he has.

2316. So that he was going to give you another?—Yes.

Re-examined by Mr. *Hill.*

2317. How old are you?—Three-and-twenty.

2318. And knowing Nurse well, had you heard that there was this matter of the election petition going on?—No, I had not.

2319. Then you went to Nurse and told him about this?—Yes.

2320. Did Nurse recommend you to go to Mr. Goodwin, or did you take him to Mr. Goodwin?—No.

Mr. *Henry James* objected to the question.

2321. Mr. *Hill.*] How was it you went to Goodwin?—Mr. Goodwin came to me.

2322. Had you spoken to Nurse at that time?—Yes.

2323. Now, then, with regard to your acquaintance with Noble. Where was your father when Noble came into the room?—He was in the other room. He came into the sitting-room.

2324. Your father was in the other room?—Yes.

2325. On the ground floor?—Yes.

2326. Did you go in and tell your father that Noble was there?—Yes, I did.

2327. And was your father willing to see Noble?—Yes.

2328. And in consequence of that, did Noble go into the room?—Yes.

2329. By the *Committee.*] Was anybody else in the room?—No one, but me and Mr. Noble.

2330. Did your father understand what Noble said?—Yes, he said, "no."

2331. Is your father able to understand what is said to him?—Yes, but we cannot understand him.

2332. Your father voted for whom?—For Betts and Wardlaw.

2333. What did he get for voting?—Nothing that I know of.

2334. You never took any money?—No.

2335. You never see any money?—No.

2336. You do not think that he had any money?—No.

2337. Always voted for the "purple" party?—Yes.

2338. Was your mother in the room?—No.

2339. Mr. *Hill.*] There is one other question: You said that Noble and your father had worked together?—Yes.

2340. In whose service had they worked together?—I don't believe in anybody's service; on the water.

2341. What do you mean by "on the water?"—In barges.

JOHN BROWNE was called in; and, having been sworn, was Examined by Mr. *Hill*, as follows:—

J. Browne.

2342. Do you live in Maidstone, and are you a carpenter?—Yes.

2343. You voted at the last election, did you not?—Yes.

2344. You voted for Wardlaw and Betts?—Yes.

2345. Do you know John Swinfen, a gunsmith, at Maidstone?—Yes, and for a good many years.

2346. Did you see John Swinfen on the day of the nomination?—No.

2347. What?—No.

2348. Did you meet John Swinfen at all near Swift's-yard?—No, I met him on the day before the nomination.

2349. What did John Swinfen say to you about your vote?—Well, he says, "Good morning,

ing, Browne, how do you do; what are you going to do; which way are you going to vote"? I says, "Well, I have not well made up my mind what I shall do."

2350. Did you give him any other answer?—This is what I am telling you, and it is the truth: "I have not made up my mind; I have got certain things to transact; I have got a number of friends who have been kind before to me, and I want to return the compliment to them again."

2351. You had had transactions with some friends?—I have been in Maidstone all my life, and I had some friends, and I thought I should like to return the same favour as they had been good enough to show me.

2352. No doubt, one good turn deserves another?—Yes, that is it.

2353. Did you say what particular thing you wanted done at that time?—I certainly did.

2354. What did you say?—I said that I had got a lad that I wanted to get apprenticed, and I thought of getting an application made to one of my friends to apprentice him.

2355. You had got a lad whom you wanted to apprentice?—Yes.

2356. By the *Committee.*] Your son?—Yes.

2357. Did Swinfen come up to you and speak to you?

Mr. *Henry James* was heard to object to the question.

2358. Mr. *Hill.*] Did Swinfen come up to you?—Swinfen came up to me in the evening.

2359. What did Mr. Swinfen say?—Mr. Swinfen said to me, "Well, I dare say we can find a friend to bind your boy as well as anybody else." He said no more and no less.

2360. When did you next see Swinfen?—In the evening. *J. Browne.* 18 April 1866.

2361. Did he come up to you in the evening?—He did.

2362. Did he say anything to you?—He said, "If such is the case that you want to get this boy apprenticed, we can find a gentleman to apprentice him." That is, a gentleman to write out the rules for the boy to be apprenticed, nothing further.

2363. Did he ask you anything as to what you wanted for the boy?—No, he did not.

2364. Did he say anything to you about tools?—No, he did not.

2365. Did he say anything to you at that time, in the evening, about which way you were going to vote?—No.

2366. Did you afterwards see a person of the name of Chapman on the polling day?—I never saw him.

2367. Your name is John Browne, is it not?—Yes, it is.

2368. Which way did you vote?—For Mr. Betts and Mr. Wardlaw.

Cross-examined by Mr. *Henry James.*

2369. You mean drawing out the rules for the apprenticeship indenture?—That is all.

2370. Merely to draw out the apprenticeship indenture?—That is all, and that I paid for myself, independently of every one. I promised Betts and Wardlaw that I would vote for them in the street, and without being solicited; no one ever canvassed me, neither the blues nor the purples.

2371. You were lucky?—Yes.

Richard Doubell was called in; and, having been sworn, was Examined by Mr. *Hill,* as follows:

2372. Your name is Richard Doubell?—It is. *R. Doubell.*

2373. And you live in Hill-street, Maidstone, and you are a harness maker?—Yes.

2374. You were a voter at the last election for the borough of Maidstone?—I was; the first vote I ever had.

2375. I believe you signed the requisition to Messrs. Betts and Wardlaw?—I did sign it.

2376. With the intention, I presume, of voting for Messrs. Betts and Wardlaw?—I do not know so much about voting for Messrs. Betts and Wardlaw. I will explain it to you. As I was walking up one day in Pudding-lane, Maidstone, I saw a Mr. Copesley Smith; he called and beckoned to me in this way; he says, "You come in," and of course I went in, and, says he, "There is a requisition here, and a great number of names upon it;" he says, "Will you put your name to it and sign it; we want to bring them forward."

2377. And you signed the requisition; I do not want all this long story; you signed the requisition, did you not?—I did.

2378. Had you been in the habit, before that time, of doing any work for Mr. Lee?—I have worked for Mr. Lee from 1864, some time before the election.

2379. Was the principal part of the work which you had done for him before the spring of this year?—Bless you, I did a few collars in the first place.

2380. To what extent had you done work for Mr. Lee?—I had done a good deal of work before I did work for Mr. Lee; I had done a good deal of work for other people besides.

2381. No doubt you had; but what amount of work had you done for Mr. Lee before the spring of 1865?—I cannot answer that question.

2382. Did you not do a little mending in the way of harness?—Yes, mending and repairing a few old collars.

2383. That was the kind of work which you had done?—Yes, that was from 1864. I am sitting in this chair to tell the truth; I am come to tell the truth, and I am quite willing to speak the truth, and to answer any question that you may put to me; I don't sit here to tell any lies, and you will not make me.

2384. I do not wish that you should; was not the amount of work that was done by you up to the end of 1864 about 1 *l.* 10 *s.*?—No, I don't think so much as that; about 1 *l.* 4 *s.*

2385. Is this list, which I will now hand to you, an extract from your books, and made when you were present?—Oh! I know all about it; the secretary of the Tory party came round——

2386. I am not asking about that; is this a correct extract from your books (*handing the paper to the Witness*)?—What, 103 pounds, 208 shillings.

2387. There are no such figures there; you can read figures, cannot you?—Read figures.

2388. Yes?—I should think I could.

 2389. Now,

R. Doubell.

18 April 1866.

2389. Now, is that a correct extract from your books?—Yes; no, stop a moment, "Horse clothing, &c.," and so on.

2390. Did you see that list made. Do not ape at the manner in which some of your neighbours in a less good position have given their evidence, but answer the question that is put to you; did you see this list made?—Did I see this list made?

2391. That was my question?—I don't know.

2392. Is that a correct copy of the account taken from your books?—The secretary of the Tory party, who is Mr. Crouch, came to me one evening, and he wanted to see my day-book; and my wife and myself, of course, felt rather anxious about this sort of thing. I did not want to come up here, I can tell you, to have all this expense and trouble; I wanted to be at home in my business; do you understand this? I must live, you know.

2393. Just answer my question; is that a correct extract from your books; never mind your business?—But I do mind about it.

2394. You know whether that is a correct extract or not from your books; what is the use of keeping me waiting here, and keeping the Committee waiting, which is more important still?—"Horse clothing, &c.," "belts, &c.," I have nothing to do with belts, "machine straps," I believe that is right.

2395. By the *Committee.*] Is it a copy, that is the question that is put to you?—It is not a copy which has been taken from my book.

2396. Is the sum total correct, 103 *l.* 2 *s.* 8*d.*?—(*No answer.*)

2397. Is that the amount of Mr. Lee's bill?—"Draw strings, &c.;" there is no such thing.

2398. You must answer the question?—I believe it is not.

2399. Mr. *Hill.*] Will you tell me anything in that list which is not correct; you were present when it was made, were you not?—Yes, I was, and it was falsely copied.

2400. What was falsely copied?—"Belts;" I have nothing to do with belts.

2401. Is there anything else incorrect?—"Horse clothing," that is right enough.

2402. Is there anything wrong except the word belts?—"Sundries, 12*s.* 5*d.*," I should very much like to know what that sundries means.

By the *Committee.*] You must answer the question distinctly.

2403. Mr. *Hill.*] Just tell me, is that the sum due upon your present account?—The fact of the matter is this; from the first, before I worked for Mr. Lee, Mr. Lang, on the hill, did the work. I have not received any bribe whatever from Mr. Lee, candidly speaking, and you must all understand that.

2404. By the *Committee.*] You must answer the question put to you by the learned counsel?—I can answer that question very well.

2405. Mr. *Hill.*] Is that the amount of the orders which have been given to you by Mr. Lee since the date of March 1864?—(*No answer.*)

2406. I must repeat the question; is that the amount of the orders which have been given to you, since the date of March, by Mr. Lee, or on behalf of Mr. Lee?—I cannot exactly say the exact amount.

2407. By Mr. *Henry James.*] Is it about that amount; suppose we say about the amount?—You may if you like.

2408. By the *Committee.*] Answer the question definitively; do you mean within a single shilling that it is the amount?—Well, Mr. Lee has been a tolerable good customer to me, and so have other people.

2409. Mr. *Hill.*] Is it over 100 *l.*?—From when?

2410. From the time when that bill seems to date?—(*No answer.*)

2411. From the time when you signed the requisition to Messrs. Wardlaw and Betts?—No, it was not so much as that.

2412. Tell me anything in that which is wrong?—"Horse clothing, &c.;" there is put down for that 25 *l.* 19 *s.* 6 *d.*; I cannot say whether that is right; I believe Mr. Lee can speak to that. 20 *l.* is not such a very large sum.

(*The following document was then put in*):

William Lee, Esq., in account with *R. Doubell.*

		£.	s.	d.
1864;				
14 Nov. -	Sundries - - -		–	12 5
30 „ -	Collars - - -		–	4 6
5 Dec. -	Sundries - - -		–	4 3
	£.	1	1	2
1865:				
21 Jan. -	Sundries - - -		–	9 9
21 March	Draw Strings, &c. -		–	19 –
8 June -	Machine Straps - -	31	10	–
8 „ -	Sundries - - -		–	7 –
26 „ -	Belts, &c. - - -	1	15	10
7 July -	Goods - - -	8	12	–
14 „ -	- Ditto - - -	4	7	–
21 „ -	Horse Clothing, &c. -	25	19	6
19 Aug. -	Goods - - -		–	16 –
7 Nov. -	- Ditto - - -	28	6	7
	£.	103	2	8

2413. Did Messrs. Lee and Whatman come to canvass you?—Messrs. Lee and Whatman did.

2414. What answer did you give when they asked you for your vote for Lee and Whatman?—I said, "I will give a plumper for Lee."

2415. You had always before voted for the Conservatives?—I never had a vote before, therefore I could not have voted for them.

2416. What did Mr. Lee say to you as to your giving him a plumper?—Mr. Lee said, like this: "Well, will you not give my friend, Mr. Whatman, a vote also?" I considered that, and my wife stepped forward, and said: "Give Mr. Whatman one also; split."

2417. Was it in consequence of the orders that you had received from Mr. Lee that you gave that vote?—Nothing of the kind.

2418. Have you so stated?—I have so stated.

2419. When?—When I was called over to Mr. Goodwin's office.

2420. And signed that statement with your name?—I did.

Cross-examined by Mr. *Henry James.*

2421. What caused you to make the statement that you made to Mr. Goodwin?—I am a little man in business; I was taken off my guard. Mr. Crouch, the Secretary of the Tories, came to me one evening, and said: "I want to see the first job you did for Mr. Lee." I said, "I don't want particularly to go up to the House of Commons; but, to gratify you—"

2422. What made you make the statement; you have been asked whether it was in consequence

quence of doing work for Mr. Lee, that you voted for him?—No; because I have worked for Mr. Lee since 1864.

2423. Did you ever tell Mr. Goodwin that it was in consequence of working for Mr. Lee, that you voted for him?—No.

2424. Mr. *Staveley Hill.*] Did you not say, "I promised Mr. Lee, because he had given me the work"; is not that your statement?—I did not know Mr. Lee, before I did the work.

2425. Mr. *James.*] Was there a man of the name of Laing, a saddler, living at Maidstone?—There was.

2426. To your knowledge, had he been working for Mr. Lee?—He had, according to what he told me.

2427. Is Laing now dead?—He is.

2428. Do you know when it was he died?—I cannot recollect.

2429. Was it before you commenced to work for Mr. Lee?—Yes.

2430. You commenced to work, I see, in November, 1864?—Yes.

2431. Was there any talk about an election at that time?—I did not hear of it.

2432. I see you had orders in November, December, January, March, June, and July?—Yes, down to the present time.

2433. This account only goes to November; but have you taken Laing's place, and continued to work for Lee?—I have.

2434. I find that since the election you have done work to the amount of 55*l.*?—Very likely.

2435. Have you been doing work during the present year for Mr. Lee?—I have been doing work for Mr. Lee up to the present time. I wish there were fifty Mr. Lees; Mr. Lee is a jolly good fellow. *R. Doubell.* 18 April 1866.

2436. Did Mr. Lee say one word to you about giving your vote in consequence of these orders?—Nothing of the kind.

2437. Did you give him your vote entirely without relation to these orders?—I did not.

2438. Did not do what?—Not because I had had that work from Mr. Lee, but because I respected the man.

2439. Did he say one word as to whether he would take the business away, or give more if you voted?—No.

2440. Tell me the circumstances under which you signed the requisition?—The abominable requisition.

2441. Had you been drinking that day?—I had had a glass or two.

2442. Had Mr. Crouch?—He had had nothing to do with me that morning.

2443. He called you into the room, and you signed this?—No, Postley Smith met me.

2444. Did you know anything of Messrs. Wardlaw and Betts before?—No.

2445. Mr. Lee is a gentleman who employs the tradesmen in Maidstone, and lives near Maidstone?—Yes.

2446. And he employs the local tradesmen?—Yes.

2447. We know he has very large works there, and does have a large number of horses, for which he requires a great deal of saddlery?—Yes.

GEORGE DIPROSE was called in; and, having been sworn, was Examined by Mr. *Staveley Hill*, as follows:

2448. ARE you a painter, living at Maidstone?—I am.

2449. Are you a Freeman of the Borough?—I am.

2450. Had you a vote for the first time at the last election?—I had.

2451. At the time of the election, or shortly before the election, had you been pressed for the payment of the rent of your house?—About 3*l.* 12*s.*

2452. Between 3*l.* and 4*l.*?—Yes.

2453. Did you see on one day before the election, Joseph Day?—Yes.

2454. Where did you see him?—In High-street.

2455. What did you say to him?—I told him I was in difficulties, and I had a party in my house that I did not just nicely like, and could he help me out on account of the election.

2456. You were in difficulties about your rent?—Yes.

2457. And would he help you out on account of the election; what did he say?—He told me to come in half an hour's time, and he would speak to me.

2458. Did you go to him?—I did.

2459. What took place between you?—I received 4*l.* from him on account of the election.

2460. Did he say anything to you?—Yes.

2461. What did he say to you?—He said that I was to have the remainder.

2462. Did he say anything about your voting?—He told me that he gave me this money on account that I was to vote for the Liberal party.

2463. Was anything more said at that time, besides that he gave you that on account? Was there anything said about what sum it would be?—Yes, he told me that when the election came off he would pay me the rest, 5*l.* or 6*l.*, to make it up to 10*l.* for my vote. *G. Diprose.*

2464. Did you give him any receipt or acknowledgment for that money?—No.

2465. Had you ever had any money from him before?—Never before in my life; not a half-penny.

2466. Any dealings in trade with him of any sort?—Not any.

2467. Was he a relation of yours?—No.

2468. Was he your uncle?—No.

2469. Did he ever speak to you about it, between that time and the election?—Only on one occasion.

2470. When was that?—I could not swear whether it was the day after the election, or the election afternoon. He said, "Diprose, you voted against our party."

2471. At the election you voted for Betts and Wardlaw?—I did.

2472. In the afternoon of that day, or on the next day, you saw Day again?—I did.

2473. What took place between you?—He said, "As you have not voted for our party, I shall expect you to pay me that money." I said, "No such thing; you gave me that money, and you agreed to give me more, and I want the other what is to come to me;" and I have never received it. I have voted. He said I did not vote for the right party. I can produce a receipt for 3*l.* 12*s.*, that I paid that day with the money.

G. Diprose.

18 April 1866.

Cross-examined by Mr. *James:*

2474. It was true, was it not, that you had an execution in your house?—Yes.

2475. You sent your mother, did you not, to Joseph Day?—No.

2476. Did you not know of your mother going?—Yes, I did.

2477. What did you know about your mother going?—She was with me.

2478. What did she go about?—To know whether he would do it on account of the election.

2479. Did you not say, "to know if he would lend?"—No.

2480. Did you not begin the word "lend," and stop?—No.

2481. Did you send your mother to know whether he would lend the money?—No, not to lend.

2482. I understand you sent your mother to ask Mr. Joseph Day to bribe you?—I never sent her at all; I was with her.

2483. Then your mother, in your presence, asked Joseph Day to bribe you; to have it on account of the election; what do you call it?—I don't understand it.

2484. What do you mean by asking for some money on account of the election?—What do you mean by it.

2485. What do you mean by "on account of the election?"—I think that is a question that is not a proper thing to ask.

2486. What do you mean by "on account of the election?"—Whether he would give me so much for my vote. I don't know what it is.

2487. That your mother asked in your presence?—I cannot say that.

2488. Were you not with her?—Yes, I was with her.

2489. What did your mother say?—I do not recollect hearing her say that.

2490. What did your mother say?—I could not say.

2491. Was it anything about your vote?—Yes, ever so much. I could not say exactly what she said; I know what I said.

2492. Did you not ask Joseph Day to lend you 4 *l.*, or 4 *l.* 10 *s.*?—I never asked him to lend me a penny in my life.

2493. You have told my learned friend you have given no acknowledgment for this?—I have not.

2494. Upon your oath?—Upon my oath.

2495. Upon your oath, did you not give your promissory note, which we undertake to produce, and was it not signed not only by yourself, but by your father also?—It may be by my father; it was not by me.

2496. A promissory note was signed by your father, was it?—I could not say the day of the month; somewhere in April I know.

2497. Was this request made in April to him, to give you money on account of the election?—I think it was in April.

2498. How much did your father sign for?—I could not say.

2499. But say the amount you received?—I could not say.

2500. How came he to sign?—I took a statement to him to sign, but I could not say what it was for.

2501. A statement of what?—To sign for me to have some money.

2502. A statement of what?—I don't know what it was; I never saw it.

2503. You took it?—But I did not see the inside of it.

2504. Was it a written statement?—I believe it was.

2505. Why did you not look at it?—Because I did not.

2506. Why not?—Because I did not.

2507. Why did you take the statement of your father, and not look at what he was to sign?—I did not think it was legal for me to look inside.

2508. Who gave you the statement first?—I think it was Joseph Day.

2509. Have you any doubt?—I believe it was him.

2510. Have you any doubt?—Yes, it was him.

2511. You are sure?—I believe it was.

2512. He gave you that to take to your father; and what did he tell you at the time?—To go and ask him to sign it.

2513. To sign what?—The statement, or whatever they call it; ask him whether he would sign it.

2514. Was that before you got the money?—Yes.

2515. Now, upon your oath, did you not sign that too?—I did not.

2516. Did you get anyone to sign it for you?—No.

2517. Did you know of this being signed in your name by anyone else?—No.

2518. Did you see it when you took it back?—No.

2519. Did that bear two signatures or one, when you took it back?—I don't know; I never looked at it.

2520. You got it back from your father?—I never opened it.

2521. You got it back from your father as soon as he had signed it?—When my father signed it, he gave it to me in the presence of my mother, I believe.

2522. Did you take it back to Joseph Day?—I did.

2523. Did it not bear two signatures?—Not that I know of.

2524. If this money was given you on account of the election, why should your father sign any statement?—I don't know about that.

2525. Did you not ask him that?—No.

2526. Did you make no inquiry?—No.

2527. When Joseph Day said to you, "Your father must sign it," why did you not say, "What for?"—I know nothing about it.

2528. You know more than anybody else?—I know about that.

2529. Why did you not ask?—How did I know the reason he signed it?

2530. When Joseph Day asked you to get your father's signature, why did you not ask "What is my father to do with my vote?"—Because I did not think proper so to do.

2531. Do you know that Joseph Day was a person who was in the habit of lending money?—No.

2532. Did you know of his having done a kindness for your father before?—Never to my knowledge.

2533. Or in any way assist him?—No.

2534. What made you go to him?—Upon persuasion of my mother.

2535. Did you know of his having been kind

to

to her before?—I knew he was to do with the Liberal party.

2536. Do you know of his having been kind to your mother before, when she was in trouble?—No.

2537. But your mother told you to go, and you went?—Yes, I was with her.

2538. Is she here to-day?—No.

2539. Where is she?—I don't know.

2540. Is she living?—I should hope she is.

2541. When did you see her last?—Two or three days ago.

2542. Living with your father?—She was living; I never saw him; my father is here now.

2543. There is no reason why she should not not come here?—I don't know whether she is dead or not; I saw her two or three days ago.

2544. Your arrangement was that you were to have 4 *l.* before the election, and when you voted, you were to have the rest?—That is right.

2545. You were not to have the remainder till after the election?—I never had it though.

2546. What made you break your promise, and vote for Betts and Wardlaw?—Because I found out they were going to disfranchise the Freemen.

2547. You are a Freeman, I suppose?—I am.

2548. Who was going to disfranchise the Freemen?—I understood the Liberal party were going to bring a Bill forward to disfranchise the Freemen.

2549. You changed your views on that ground?—Yes.

2550. Did you ever give the money back, as you had broken your contract?—No.

2551. You did not give your vote?—Because I did not set out to it.

2552. You have not?—I have never had the other yet; I want the other.

2553. What for?—For my vote.

2554. But you did not give it?—I gave it for Betts and Wardlaw.

2555. Suppose you did, why should you have money from Lee and Whatman?—I voted, did I not?

2556. I understand the money was given you, not that you should vote for Lee and Wardlaw, but that you should vote?—This money was given to me for my vote.

2557. Not for Lee and Whatman?—I did not know who it was; no names were mentioned; the money was given to me to vote, for our party.

2558. Who was "our party"?—I did not know.

2559. When you knew you were to vote for his party, you knew you were to vote for two candidates?—Yes.

2560. Did you not ask which?—No; "Vote for our party," he said. *G. Diprose.* 18 April 1866.

2561. Did you perform your promise?—I did not vote for his party, I suppose.

2562. You know you voted for the Conservatives?—Yes.

2563. Did you fulfil your promise or not?—I voted for a party; I did not vote for his party.

2564. Why did you want the rest of the money, if you did not fulfil your promise?—I wanted the rest for voting.

2565. You never fulfilled your promise?—Not voting that way; then I suppose I must go without.

2566. Why are you entitled to it?—I think I am; I voted.

2567. Was that what you promised to do?—I promised nothing; I promised to vote.

2568. Then you never did promise to vote for Messrs. Lee and Whatman?—No; never in my life.

2569. And you never intended to do it?—No.

2570. Did you get the money in consideration that you should vote for them?—I got nothing in consideration.

2571. You got no money in consideration that you should vote for Lee and Whatman?—Only that 4 *l.*

2572. You got no money to vote for Lee and Whatman?—Only that 4 *l.*

2573. You got no money to vote for Lee and Whatman?—Only that 4 *l.*

2574. Was that that you should vote for Lee and Whatman?—Yes.

2575. Why did you not?—Because I did not think proper so to do.

Re-examined by Mr. *Price.*

2576. Did you receive that 4 *l.* for your vote?—Yes.

2577. Then when the time came round you did not vote for Lee and Whatman, because they did not hold your views about the Freemen?—Yes.

2578. Therefore, you do not think you have any claim for the 6 *l.*?—I do not care whether I have it or not.

2579. By the *Committee.*] What did you get from Wardlaw and Betts for voting?—Nothing.

2580. You were asked to return the 4 *l.*?—Either the day of the election, or the day after; he says, "You have not voted for our party, I shall expect you to pay me back; are you going to pay me back?" I said, "I am not; and I want to have the other."

2581. You received this money in April, was there a contest likely then?—There was one coming on, they said, about that time; they said they expected an election.

2582. Were there four candidates in the field?—No, they were not in the field at that time.

JOHN APPS was called in; and, having been sworn, was Examined by Mr. *Price,* as follows:

2583. ARE you a milkman?—Yes. *J. Apps.*

2584. Are you a voter?—Yes.

2585. Did you vote at the last election?—Yes.

2586. Who for?—For Lee and Whatman.

2587. The Blue party?—Yes.

2588. Do you know Mr. William Day?—Yes.

2589. Did you see him any time before the election?—I frequently saw him.

2590. About the time of the election did you see him?—I don't know that I did.

2591. Did you see him as you were going up High-street?—That was the morning of the election.

2592. Where was it?—Standing in his shop at the corner of Pudding-lane.

2593. Had you known him before?—Yes, a long while.

J. Apps.

18 April 1866.

2594. And he had known you?--Yes.

2595. Which William Day is it; William Day, senior, or William Day, junior?--William Day, senior, the old man.

2596. What did he say?--He asked me if I had voted, and I said no.

2597. About what time was this?--About nine o'clock.

2598. What were you doing at the time?--I was going up the street with my pails.

2599. What did you say?--I said, "No."

2600. What did he say?--He said, "You are going to vote for us." I said, "Yes, sir, I owe a little bill at the Queen's Head, about 8 *l.*, and if I can pay that, I shall vote for you."

2601. What did he say?—He said, "Have you seen Sam." That was his son Sam Day.

2602. What did you say?—I said, "No."

2603. Did Sam come up at the time?--No, he came down the street.

2604. What happened then when Sam came?--I told him the same as I had told Mr. Day.

2605. What did Sam say to you?—He said, "Come along with me."

2606. What were you to do with your pails?--I left them in Steare's, the fruit and orange shop.

2607. Did you go then with Sam?—Yes.

2608. Where to?--To his office, by the waterside.

2609. When you got there, what happened?—I went into the office, and he said, "Is Mr. Benzie here?" That is a partner of his, I think. He could not find him. I saw Mr. Mason there.

2610. Who is that?--The brewer.

2611. What is his Christian name?--I don't know.

2612. Where does he live?—I don't know that.

2613. Is Benzie Mr. Day's partner?—I suppose that is the one he meant.

2614. Did Mason come?--Yes.

2615. What was said then?—I did not hear what Mr. Mason said at all; Mr. Day said, "You go to Mr. Askew's, by the barracks."

2616. Did you say anything to Sam Day before he told you to go to Askew?--Nothing more than what I have stated to you.

2617. Did you say anything to Samuel about what you owed?—I told him the same as I told Mr. Day.

2618. Where was that?—At the corner of Pudding-lane.

2619. What were you to do?--To ask Askew if he could give me 8 *l.*

2620. Did you go?—I went to Askew.

2621. Where did he live?--Beside the barracks.

2622. Did you see him?--No, they sent for him; he was not at home.

2623. Did you meet him afterwards in the street?—He came to his house whilst I was waiting there.

2624. What happened?--He said he had no money, he could not pay. Then he came into the street.

2625. Did he say anything about the money you wanted?—I told him what I wanted; I told him that I was come for 8 *l.* to pay a bill that I owed at the Queen's Head.

2626. What did he say?--He said, "Come in." I went in, and he brought his cash-box, and he said, "I have not enough." I then started again out of the house without receiving it, and went along the street, and he came running out.

2627. Who did?--Mr. Askew himself came to the door and called me. I went back, and he said, "I have found 5 *l.* 10 *s.*; I will give you that, and promise you 2 *l.* 10 *s.* more." I have never received the 2 *l.* 10 *s.* yet.

2628. Did he give you any money?--He gave me 5 *l.* 10 *s.*

2629. The *Chairman.*] And promised you how much?--£2 10 *s.*

2630. Mr. *Price.*] What coin was it?—A good deal of silver, one five shilling piece and three half sovereigns, and, I think, the rest was in silver; I cannot say exactly.

2631. You say you have not received the 2 *l.* 10 *s.*?--No, I have not.

2632. Have you seen him since the election?—Yes.

2633. Have you spoken to him about it?—Yes.

2634. What did he say?—He said it would be all right.

2635. Did you go and vote after that?—Yes; I went directly with William Misson.

2636. When did he appear on the scene?—He had a cab waiting outside.

2637. Had you come there with Misson?—I met him there as I was going towards Askew's house; Misson was coming with a cab, and he waited till I came out.

2638. Did you get into the cab, and go with Misson?—Yes.

2639. Went and polled?—Yes.

Cross-examined by Mr. Serjeant *Ballantine.*

2640. What did you say you were?—A cowkeeper.

2641. Did you owe any money at this inn?—Yes.

2642. What is the name of the inn?—The Queen's Head.

2643. Did you owe 8 *l.*—Yes.

2644. Have you paid any of it?—Yes, paid it all.

2645. Did you apply that money to it?—Part of it I did.

2646. Did you give any I O U?—No.

2647. Did you not give any acknowledgment to Askew?—No.

2648. You have said you did, have you not?—No.

2649. Was it lent to you, or was it given?—It was given to me; I had no agreement to pay it back, nor nothing of the sort.

2650. Who was the man you say sent you to Askew?—Sam Day, not old Mr. Day.

2651. You told Askew, did you, that he had sent you?—Yes.

2652. Day has said that is utterly untrue, has he not, and that you have obtained it without his concurrence?—No.

2653. Do you not know that Day says you never had any authority?—No.

2654. Be cautious?—No.

2655. You have not been threatened with proceedings for having obtained that money by false pretences?—I don't recollect it at all.

2656. That is not a thing that would go out of your mind; on your oath, have you not been charged with obtaining that money by a false pretence?—I have not.

2657. Do you mean you have not heard that you

you have been charged with having made a false representation about that money?—No.

2658. To Askew?—No.

2659. That you got the money by falsely saying that Day had sent you?—No.

2660. You know he has said so?—No.

2661. Do you not know that Day repudiates the whole thing?—No.

2662. Were you drunk?—No.

2663. Was Askew drunk?—He was nearly, I think.

2664. You got hold of Askew when he was drunk, and said Day sent you?—I did not.

2665. Was not Askew drunk?—He was a little freshy, not much.

2666. Was he not so drunk that he hardly knew what he was about?—He was drunk.

2667. You caught hold of him when he was drunk?—I did not.

2668. Is he generally drunk at that time?—I don't know.

2669. You had a good deal to do to persuade him?—Not at all; he ran after me and called me back.

2670. Do you mean to say that he was sober enough to run?—Yes.

2671. He actually ran after you?—Yes.

2672. Did you ever have anybody run after you before?—Yes, ever so many.

2673. To give you money?—Yes.

2674. As you walk about Maidstone?—I do walk about Maidstone.

2675. And people run after you insisting on your taking money?—A good many do, because I want it.

2676. You find them so benevolent as that, do you?—Yes. *J. Apps.* 18 April 1866.

2677. And does that go on all the year round?—It goes on with me, because I take it up by halfpence; I keep on taking it daily.

2678. You don't get 5 *l.* 10 *s.* for a milk score?—Sometimes we do, and sometimes a little more.

2679. Has Kirby been at you?—Kirby came to me.

2680. Did you tell Kirby that the other side had given you 5 *l.*?—Yes, I did.

2681. I am sure they would not have done such a thing as bribe?—They did give it me, and I had it; 5 *l.* was given to me to vote on the other side.

2682. Which way did you go?—For Mr. Lee and Mr. Whatman.

2683. Whom did you get the 5 *l.* from, from the other side?—John Jones.

2684. Was that for a little debt you owed at an inn?—No.

2685. By the *Committee.*] You stated that Day promised you 8 *l.*; have you asked him for the balance since the election?—Yes.

2686. Mr. Serjeant *Ballantine.*] You told the Committee that you owed 8 *l.* at the Queen's Head; was that for drink?—No; a cow I had bought for 15 *l.* 10 *s.* of Mr. Harris, and I had paid during that time 7 *l.* 10 *s.* back.

2687. Re-examined by Mr. *Price.*] You voted for your principles, and ten shillings more than the other side offered you?—Yes.

2688. Who was the fly man who drove you?—I don't know.

Hillier Gibbon was called in; and, having been sworn, was Examined by Mr. *Price*, as follows:

2689. Are you a fly-man at maidstone?—Yes. *H. Gibbon.*

2690. Were you employed during the last election at all?—Yes.

2691. Who employed you?—Mr. Wells.

2692. How often were you employed?—I think about two or three times altogether.

2693. Whom did you take out in your fly when you were employed?—There were three flies engaged at one time.

2694. Whom did you drive in your fly?—Mr. Swinfen.

2695. Where did you pick him up?—At Mr. Wells's.

2696. Anybody else; Mr. Raton?—Yes.

2697. Mr. Large?—Yes.

2698. Any of the Days?—I cannot recollect there was any of those.

2699. Did you take out those gentlemen?—Yes.

2700. Where did you go to?—To Tovell.

2701. Is that a place where voters live?—Yes.

2702. Did you drive them there?—Yes.

2703. Down to the paper mill?—Yes.

2704. Did you do that to other places?—I went up to Barning.

2705. Went out with books, or anything of that kind?—Went to see some of the voters there.

2706. More than once?—Yes.

2707. Where did you take them back to?—To Mr. Wells's. I brought Mr. Swinfen back from Tovell; he paid me.

2708. He paid you for the day?—Yes.

2709. He paid for the three flies?—Yes.

2710. How many had you in yours?—Six or seven, they were open carriages; I should think there were from 18 to 20 altogether.

2711. At the end of the journey, Mr. Swinfen paid you for the whole job?—Yes; we started for Tovell, and had some bread and cheese, and they went round the paper mill.

2712. Do you mean Mr. Raton?—Yes.

2713. Do you remember Mr. Stanger going out?—Yes.

2714. Mr. Wells paid you on other occasions, did he not?—Yes.

John Richardson was called in; and, having been sworn, was Examined by Mr. *Price.*

2715. Are you a voter for Maidstone?—I am. *J. Richardson*

2716. Did you vote at the last election?—I did.

2717. Who for?—Wardlaw and Betts.

2718. On the night before the nomination, were you at the Nag's Head?—I was.

2719. Whom did you see there?—Mr Waller and Mr. Aunès.

2720. Did you see Mr. Chambers the town carter?—Yes, James Chambers came in after I was there.

2721. Had you seen him during the election?—No.

2722. Did you know on what side he was?—I knew he was Blue.

2723. Was Mr. Collins there?—Yes.

J. Richardson.

18 April 1866.

2724. When Mr. Chambers came in, did he say anything to you?—Yes.

2725. What?—He said: "Hulloa, what is your game?" He asked me who I was going to vote for; I told him I never made no promises.

2726. What did he say to that?—He said: "Will you vote for us?" I said, "I shall not promise you, nor no one else."

2727. What did he say then?—He said, "Will 10 *l.* be any good to you?" I said, "If I had it now it would."

2728. What did he say?—He said, "If you meet me in the morning, I can tell you where you can get it."

2729. The *Chairman.*] Who said this to you?—James Chambers.

2730. Mr. *Price.*] What did you say?—I said, "I won't promise you, nor no one else."

2731. Was that all that passed between you and him?—At that moment.

2732. Did Collins come up at the time?—Yes.

2733. Was Chambers there?—Yes.

2734. Could he hear?—Yes.

2735. What did Collins say?—He said, "That would do;" and he took me on one side.

2736. He took you away from Chambers?—Yes.

2737. By the *Committee.*] What did the other side give you for voting?—Nothing.

WILLIAM BARTON was called in; and, having been sworn, was Examined by Mr. *Price*, as follows:

W. Barton.

2738. ARE you a Waiter at the Bull Inn, in Maidstone?—On certain occasions I was waiting there.

2739. Were you employed as waiter there at the last election?—Not on the polling-day, but on the nomination day I was there.

2740. During the canvassing, were you there?—As an extra waiter, now and again, I was there; I cannot say specially what day I was there.

2741. Was that the place where the central committee was held, of Lee and Whatman?—I believe not.

2742. Was it a committee-room?—There was a committee held there.

2743. Used you to attend on the gentlemen in that committee-room?—No.

2744. Have you gone into the committee-room, from time to time, when the committee was held there?—No, I believe not.

[Adjourned till To-morrow, at Eleven o'clock.

Thursday, 19*th April* 1866.

HONOURABLE CHAS. W. G. HOWARD, IN THE CHAIR.

The names of the Members were called over;—All present.

THOMAS BISHOP was called in; and, having been sworn, was Examined by Mr. *Hill*, as follows:

T. Bishop.
19 April, 1866.

2745. YOU live in the Borough of Maidstone?—Yes.
2746. And were you a voter at the last election?—Yes.
2747. Whom did you vote for?—For Wardlaw and Betts.
2748. Did you see a person of the name of Newport?—Yes.
2749. Did he come to you more than once?—
2750. Did he bring to you William Day jun,, or did William Day jun. come to you with him?—No.
2751. After that, did William Day jun. come to you?—I saw him.
2752. Where did you see him?—In the market street.
2753. And when?—I cannot tell you what day it was.
2754. How long before the election?—It might be a week.
2755. Did William Day say anything to you about the election?—Yes.
2756. What did he say to you?—He asked me which way I was going to vote.
2757. And what did you say to him?—I told him I was going Tory.
2758. Did he say anything to you then?—Yes.
2759. What?—He wanted to know whether I would vote for them.
2760. That was the Blues—Yes.
2761. What did you say to that?—I said no, I had promised.
2762. Go on; what did he say to you then? Did anything more take place at that time?—He said he wanted me to see him before the election came off.
2763. Did you see him before the election morning?—No.
2764. Did you see him on the election morning?—No.
2765. Did you see him again at all?—No.
2766. Did he at any time say anything more to you than what you have told us, that he wanted you to vote for his party?—No.
2767. Just recollect yourself, did he not say anything more than that; did he say anything to you about what would be the consequence of your voting either one way or the other?—No.
2768. Did you see him after the election?—Yes.
2769. After the election did you see William Day?—Yes.
2770. What was it he said to you then?—He said he could have got me 15 *l.* if I had voted the other side.
2771. Did he tell you whether you were wise or foolish to have voted that side?—No.

Cross-examined by Serjeant *Ballantine:*

2772. I see you are one of Mr. Kirby's flock?—I am.

Re-examined by Mr. *Hill.*

2773. What do you mean by saying you are one of Mr. Kirby's flock?—I may as well be, as for him to think so.
2774. I do not know that we are all agreed about that?—I do not know what he means.
2775. Are you driven by him as a shepherd?—Not I.
2776. Have you anything to do with Kirby?—No, and do not want to.
2777. Has Kirby induced you in any way to come up here?—Not he.

WILLIAM GANDY was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

W. Gandy

2778. Are you a baker living in Maidstone?—I was.
2779. You were a baker?—Yes.
2780. Have you given up the baking business now?—Yes.
2781. Were you carrying on the business of a baker at the last election?—Yes.
2782. And were you a registered elector of the Borough?—Yes.
2783. Are you a Freeman?—Yes.
2784. A short time before the election, I believe you were anxious to get out of business and to get a situation?—Yes.
2785. And did you go Snodland to see Mr. Lee, one of the present members, on the subject?—Yes.
2786. About how long before the election was it?—About two or three months before.
2787. What passed between you and Mr. Lee on that occasion?—I asked him if he could oblige me with a situation of any kind, as I was out of employment, and he told me to write to him.
2788. Did you afterwards write a letter?—Yes.
2789. Did you take that letter to Mr. Thomas Wells, the Secretary of the Reform Association?—No.

W. Gandy, 19 April, 1866.

2790. Which Mr. Wells did you go to then; did you not show that letter to a Mr. Wells?—No.

2791. Did you speak to Mr. Wells on the subject?—No.

2792. Did you show the letter before you parted with it to anybody?—To Mr. Stanger.

2793. What is he?—An upholsterer and cabinet maker.

2794. Has he anything to do with Mr. Lee, that you took it to him?—Not that I know of; I have seen him with Mr. Lee a good deal.

2795. Has he been canvassing for Mr. Lee, do you know?—Yes.

2796. Is he one of the Blue party?—Yes.

2797. Did you give it to Mr. Stanger, and did he read it?—Yes.

2798. Did he say anything to you?—He said "I think that will do."

2799. Did he give you any information?—He only gave me Mr. Lee's address in London.

2800. And did you post the letter?—Yes.

2801. Was this piece of paper given to you with the address "16, Upper Ground Street, Blackfriars, London"?—Yes.

2802. And you posted the letter?—Yes.

2803. Do you remember after that Mr. Lee and Mr. Whatman coming with some persons to canvass you for your vote, and coming to your bakehouse?—Yes.

2804. Whom did the party consist of?—Mr. Lee, Mr. Whatman, Mr. Wells, Mr. Chambers, and Mr. Cohen.

2805. Was William Misson there?—I do not know whether he was there.

2806. Was old Mr. William Day there?—No, I did not see him.

2807. John Swinfan?—Yes.

2808. Railton?—Yes.

2809. Who came into the bakehouse to you?—Mr. Chambers came in first.

2810. What is his Christian name?—Thomas.

2811. What is he in Maidstone?—A builder, I believe.

2812. He came in where you were at work in your shirt sleeves, I suppose?—Yes.

2813. I suppose in the ordinary way of canvassing they found you there?—Yes.

2814. What happened? did the rest come in or did you go out?—They came to the door, and I stood there and talked to them.

2815. What passed then?—Mr. Stanger stood at the door one side, and Mr. Wells the other side.

2816. Did the candidates speak to you?—Yes.

2817. What did they say?—Mr. Lee said, "Come, Gaudy, you wont disappoint us this time."

2818. Had you ever disappointed him before?—No.

2819. Had you ever voted at any previous election?—Yes.

2820. In 1859 was that?—Yes, for the Liberal party.

2821. Mr. Lee was one?—Lee and Burton.

2822. What said you to that?—"I have not made up my mind yet." Mr. Stanger said, "Come, Gaudy, we have been neighbours a good while, you will not disappoint us now, and anything you want, you apply to me."

2823. Did Wells say anything?—He said, "Shall I put your name down, Gaudy?" I said, "Not yet, I have not made up my mind yet."

2824. I think you told us that Stanger and Wells were standing behind the candidates at the door-post?—Yes.

2825. The party was altogether there?—Yes.

2826. Not a very large door-way, I suppose?—No, a very small door-way.

2827. When Mr. Wells said that, what did you say?—I said, "Not just yet."

2828. What next occurred?—Mr. Lee came and shook hands with me.

2829. Did Cohen say anything?—Yes, he made a brief speech there. "Oh, put his name down, he is right;" it is not worth while to make use of the expression he did.

2830. I dare say he was emphatic. Did you promise them?—I did not promise them before they left.

2831. Did you tell them you could not promise, or merely say you had not made up your mind?—I told them I had not made up my mind yet.

2832. Did Stanger, during that conversation, say anything to you about the letter?—No.

2833. Nor about the situation?—No.

2834. What was it he said to you on the occasion?—He said, "Well, come, Gandy, whatever you want you apply to me, and it shall be done for you."

Cross-examined by Serjeant *Ballantine*.

2835. Were you holding back for the purpose of being bribed?—No.

2836. What were you holding back for?—Merely for a situation, nothing more.

2837. To be bribed; do not be ashamed of it?—I merely said I wanted a situation.

2838. You meant if you got a situation you would vote, and if you did not, you would not; that is what you meant?—I do not know about that; I meant that I wanted a situation.

2839. Did you mean you would not promise unless you got a promise of a situation?—I did not make use of any such thing.

2840. Was that what you meant?—That was a little my idea.

2841. It is a pity to have this sort of false shame; you meant to be bribed if you could get a bribe?—I did not stand out for a bribe.

2842. You meant to get one if you could?—No.

2843. Did you not?—No.

2844. What were you holding out for. You meant to get a bribe if you could?—No.

2845. You meant to get a situation if you could?—I tried for one.

2846. You were holding out for that?—No, not particular.

2847. What was it for?—Because I did not make up my mind.

2848. A question of principle; a question as to whether the constitutional principles of one party or the other would suit you?—I do not know about that; I know I did not intend to promise them.

2849. Have you got a situation?—Now I have.

2850. What are you?—A police constable.

2851. Where?—In the Poplar division.

2852. Who got you that?—I do not know exactly who it was.

2853. Who got you that?—I wrote to a friend in London to get me a place.

2854. You are in the Poplar division, and we know London is a large place; who is the friend? My brother.

2855. Your

2855. Your brother did not get you it?—He got the paper for me.

2856. Who got you the situation?—I got it myself. I passed.

2857. Who recommended you?—Well, I do not know that anyone did; Mr. Newham at the jail signed it; he is a Tory.

2858. What jail?—The County Prison at Maidstone: he is the governor.

2859. The Tories, I know, are very benevolent down there; did you get a little for your outfit?—No.

2860. Did you get any money?—No. *W. Gandy.* 19 April 1866.

Re-examined by Mr. *Cooke.*

2861. You say you got your brother to send you a form?—Yes.

2862. You filled it up?—I got Mr. Newham to recommend me, and I got the situation.

2863. By the *Committee.*] Was that held out to you as an inducement to vote?—No.

William Pearce Amies was called in; and, having been sworn, was Examined by Mr. *Hill*, as follows:

2864. Do you live in the borough of Maidstone?—No. *W. Amies.*

2865. Where do you live?—At Loose, about 2½ miles from Maidstone.

2866. Were you in Maidstone on the polling-day at the last election?—Yes.

2867. What time of the day were you there?—I was there that day.

2868. Were you a voter at the last election?—No.

2869. Which committee-room were you in on that day?—At the "Bell."

2870. Was that Wardlaw and Betts' committee room?—Yes.

2871. Was it between 12 and 1 o'clock?—Yes.

2872. What were you doing?—I was standing there to see if I could be of any use.

2873. Did you see Jesse Kirby there on that day?—I did.

2874. Were you in this committee-room when Kirby came in?—I was.

2875. What did you see him doing when he came in?—I saw him come in, and lay a paper with some money in it on the table; and I saw Dickinson pick it up, and give it to William Pearson.

2876. What did Dickinson do with it?—He gave it to William Pearson.

2877. Did you see it counted?—I saw William Pearson count it.

2878. Did you hear any one say anything about it?—Yes.

2879. What?—I heard Mr. William Pearson ask Kirby who gave it to him, and he said Mr. Day.

Henry Pratt, was called in; and, having been sworn, was Examined by Mr. *Hill*, as follows:

2880. What are you?—Quarter-master of the West County Militia. *H. Pratt.*

2881. Where do you live?—In Maidstone.

2882. You signed a requisition to Wardlaw and Betts?—I did for Betts.

2883. Do you recollect when that was?—I think it was somewhere about the beginning of March, or the end of February; I do not know which.

2884. Were you canvassed by the Blue party?—I was canvassed by the Blue party about three or four days before the election.

2885. Did Messrs. Lee and Whatman come to you?—They did not come to me; they accidentally met me in the street.

2886. They saw you?—Yes.

2887. Did you eventually vote for Lee and Whatman?—Yes.

2888. Had you at the time of the election, and have you now, a son?—I have a son.

2889. What age was he?—He was 25 years of age.

2890. Was he in any situation at the time of the election?—He was out of employment at that time.

2891. Had he been long out of employment?—He never was employed only as a military man under me; he wrote for me as my clerk.

2892. He had no employment?—No regular employment.

2893. Did Mr. Lee do anything for him in getting him a situation?—Mr. Lee was kind enough, with other gentlemen of the county of Kent, to do so, with the number of about eight; he took some part in it, for which I am very thankful to him.

2894. Eight gentlemen belonging to the county interested themselves?—Yes.

2895. Was Mr. Lee principally interested?—I think he was more interested than the others; but it was through Mr. Whatman's recommendation to Mr. Lee, I think.

2896. What situation did he get for your son?—He got him an appointment in the London and County Bank.

Cross-examined by Mr. Serjeant *Ballantine.*

2897. Is he still there?—He is still employed there.

2898. I believe you are the quarter-master of the West Kent Light Infantry?—I am.

2899. Of which Mr. Whatman was a commanding officer?—Mr. Whatman, when I joined the regiment first, was a captain in the regiment.

2900. How long have you been in the regiment?—Fourteen years.

2901. And therefore, I suppose, thoroughly well known to Mr. Whatman, and the other officers?—I think I am thoroughly known to the whole of them.

2902. In addition to which you were a tenant of Mr. Whatman?—I was living in one of Mr. Whatman's houses at this time.

2903. When you wanted to obtain your son a situation, did you apply to Mr. Whatman?—My son applied.

2904. At that time was Mr. Whatman a candidate?—Not for six weeks or two months after that.

2905. Is Colonel Scott in the regiment?—He commands the Rifle Volunteers.

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2906. Was he very active in favour of your son?—He was one of a number of gentlemen, and was very anxious to get him employed.

2907. And, as far as you know, was it through Mr. Whatman that Mr. Lee interested himself?—I think it was from Mr. Whatman's note that my son took to Mr. Lee, with the other gentlemen's recommendation.

2908. Although you signed the requisition to Mr. Betts, I believe directly you saw Mr. Betts you told him that upon consideration you should vote as you had always done?—When I saw Mr. Betts, I told him I had changed my mind, and that was in the presence of Colonel Scott.

2909. Had this appointment of your son anything on earth to do with your vote?—Well, it may have a little to do with it. I must acknowledge that to oblige Mr. Lee and the other gentleman I gave my vote; but I had a reason.

2910. What was it?—My reasons for so doing were, that by due and self-advice and consideration, which I had three months time to do that in, I thought I was justified by knowing and seeing the good that the present Government had done for our country, to support those candidates who would support the present Government.

2911. Whatever may have been the political grounds upon which you voted, did Mr. Lee in any way whatever make the giving of office to your son, or any body, the condition of your vote?—No.

2912. By the *Committee.*] When did you sign the requisition to Mr. Betts?—I signed it unfortunately at a moment when I did not care much about it, in a tradesman's shop in Maidstone, of the name of Mr. Hill, a tailor.

2913. Had you previously voted on the Liberal side?—This has been my second vote. I previously voted as a Conservative, about eight or nine years ago; but since then I have altered my principle.

2914. At the last election but one how did you vote?—I voted as a Conservative.

2915. Was anything whatever said to you by Mr. Lee about the situation at all?—No. I never saw Mr. Lee on the subject; my son did the whole of it. I left it entirely in his hands, and had nothing to do with it.

Mrs. Catherine Peters, was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

Mrs. *C. Peters.*

2916. You are a widow lady, residing in Maidstone?—Yes.

2917. I believe you take a great interest for the Purples in Maidstone?—Yes.

2918. We understand that you and Wills have been great friends for some time?—Yes.

2919. Have you, with the interest you take for the Purple party, canvassed Thomas Wills to vote for Wardlaw and Betts?—I did.

2920. You expected you had got him a firm supporter of those gentlemen?—I did.

2921. Did you see him on the polling-day, in what you considered very dangerous company?—The night before the election he promised he would go for Wardlaw and Betts. On the morning of the election, I went to where he lived, and I asked if he was at home, and they said, no, he had just gone out.

2922. On the morning of the poll, in consequence of what had passed before, did you see him?—I did.

2923. Where was that?—I saw him just by the gin palace, in Week-street, with Mr. Agate.

2924. A Blue?—Yes.

2925. Did you see Mr. Agate and him arm-in-arm together?—Yes.

2926. Seeing him in that close intimacy with Mr. Agate, did you go and speak to him?—Yes, I did.

2927. What did you say?—I said, "When are you going to poll?" He said, "In the course of 10 minutes."

2928. Did you say anything then to him?—No; they both went into the gin palace.

2929. Did you say anything about his promise?—No; they both went into the gin palace.

2930. Did you see them when they came out?—No; they gave me the slip. I went into the High Town.

2931. They went out of another door?—Yes.

2932. The gin palace has got more than one door?—Three or four doors.

2933. How long was it before you saw Wills again?—It might be half an hour or so.

2934. Where did you see him then?—Opposite the inn. We did not speak, but he looked as if he would soon be there.

2935. Was he in company with anybody?—Three or four of the Blue party.

2936. I want to know whether on that occasion anything passed between you when you got to talk to him, or not?—We had not spoken then, because he was on the opposite side.

2937. You did not see him again until the poll closed?—Yes, I did.

2938. You did see him?—Yes, I met him up by the Bower, and as he came back, Mr. Agate, and Mr. Ford's son-in-law, Mr. Cornport, passed in conversation by the railway gates.

2939. Did you join in the conversation?—No, I did not go across to him.

2940. You did not see him to speak to until after the poll closed?—No.

2941. I believe you then spoke to him?—I did.

2942. Was anybody else by at that time?—I did not observe anybody.

2943. Did he then give any gold to you?—No; I asked him why he did not vote as he had promised.

2944. Did he pull out any gold?—I saw some sovereigns.

2945. How many?—I did not count them, but he told me himself that he had eight.

2946. Did he not give any part of it to you?—Yes; he gave me a sovereign not to say anything about it.

2947. Now sometime after that did not you see Wills in Company with Misson?—I was at Wills's house, and Mr. Misson came into his shop, and they were in conversation together.

2948. That was William Misson?—Yes; I was sitting in the back room, and heard Mr. Misson come and talk about the election, and of course I listened, and I heard him say, "How is it some had 10 *l.* and I only had 8 *l.*" Misson said, "That is all I could get you."

2949. How long was that after the election?—Some little time. I could not say whether it was three or four weeks. It was some little time after the election.

Cross-

Cross-examined by Mr. Serjeant *Ballantine*.

2950. When did you learn you were to be examined as a witness?—I did not know that I was to be examined as a witness.

2951. When did you first know that you were to be examined as a witness?—Some little time back.

2952. How long back?—Why since the petition has been on.

2953. When did you know you were to be examined, and when did you give your evidence to anybody?—I went to Mr. Goodwin, the solicitor, and told him what I had overheard.

2954. When?—It may be six or seven weeks ago, perhaps.

2955. When did you know you were to be examined?—Six or seven weeks ago, when I spoke to Mr. Goodwin about it.

2956. Were you in town yesterday?—Yes; in London.

2957. Do you live in London or at Maidstone?—I live at Maidstone.

2958. Were you in London last night?—Yes.

2959. Where?—I did not know the name of the lodgings.

2960. Who was there with you?—Several of the witnesses.

2961. All in the same lodgings?—Yes. Mrs. *C. Peters.*

2962. Was Wills with you?—He was one of them.

2963. You and Wills are great friends, are you not?—I suppose we are. 19 April 1866.

2964. You went down to take care of him at Lincoln?—I went for a holiday to Lincoln.

2965. To take care of him?—I suppose he is big enough to take care of himself.

2966. You take a great interest in him, don't you?—I have not come here to talk of my private affairs.

2967. You take a very great interest in him, don't you?—I don't know.

2968. You are to become a bride, are you not?—I am not bound to tell you my private affairs.

2969. You have been very intimate with Wills?—That is my own affair.

Mr. Serjeant *Ballantine* said that as the petitioners had closed their case, he should be entitled to address the Committee, but he thought it was unnecessary to occupy time by making two speeches, and therefore he proposed, with the Committee's permission, to call his witnesses before them, and reserve to himself the opportunity, if it became necessary, of addressing the Committee at the close.

James Whatman, Esq., a Member of the House, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:—

2970. You are the sitting member for the Borough of Maidstone?—Yes; one of them. *J. Whatman,* Esq.

2971. Elected at the last election?—Yes.

2972. Do you reside in the county?—I live about a mile from the town of Maidstone.

2973. If I remember rightly, you have been High Sheriff of the county?—My grandfather was High Sheriff a great many years ago.

2974. You have property a mile from the town?—Yes.

2975. Were you formerly a Member for West Kent?—I was Member for Maidstone in 1852; that was the first time I was in Parliament; and in the following Parliament I was returned for West Kent.

2976. I suppose you have very extensive connections in the borough and in the county?—Tolerably. I have property about there.

2977. How soon before the last election did you determine to be a candidate for Maidstone?—I really forget the precise time. It was a very short time before the dissolution.

2978. Was there a requisition to you?—I was requested to stand. It was not by my wish that I was a candidate. Mr. Buxton was one of the Members, and I wanted Mr. Buxton to continue to be a candidate.

2979. You had failed in 1859 for the county?—I was not returned.

2980. And ultimately you stood for Maidstone?—Yes.

2981. And on the same principles with Mr. Lee?—On the same principles. You asked me about a requisition; there was a large requisition presented to me in 1852, when I first stood. I did not care to be in Parliament.

2982. Who was your agent? Mr. Wells, I believe?—Yes.

2983. The agent for both of you?—Yes.

2984. Having had some experience of elections, the expenses would be a matter considered by yourself before entering into the contest?—Most decidedly; in 1852, I would only agree to stand upon the principle that no money should be expended, and the same last year.

2985. You stood only upon the principle that no money beyond the legitimate expenses, should be expended?—Exactly so.

2986. Was that the direction you gave to your agent?—It was; and to those who asked me to stand.

2987. Have you ever countenanced in any way whatever the giving of one single farthing beyond the expenses which are legitimate?—Most decidedly not; and had I known of anything of the kind, I should immediately have retired, and my Committee knew it, I believe.

2988. They knew that was your view?—Yes.

2989. Have you, in point of fact, expended any money except the legitimate expenses?—I have not at any time.

2990. Neither in 1852, nor on the present occasion?—No.

2991. I suppose you canvassed the constituency, and what was the result of your canvass?—It was very successful indeed; we had an enormous majority, according to the books.

2992. As far as you could see from the returns, was there the least occasion for any money to be expended beyond what was proper?—Oh, certainly not.

2993. Was there a larger majority on the books than turned out at the poll?—Very much larger.

2994. You found the majority decrease a good deal?—Very much indeed.

2995. Melted away under some influence, which, I suppose, you can only guess at?—Very unaccountably.

2996. Mr. Betts, the gentleman who was your

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opponent, has recently taken or built a fine place in the neighbourhood of Maidstone?—He bought an old place in the neighbourhood of Maidstone, and has built a new house upon it.

2997. I believe he is the gentleman whom we know as a very large contractor?—Yes; he has also a large pottery on the estate which he established himself.

2998. In 1852, what were your expenses?—I stood alone in 1852, and at that time music and colours were allowed; I don't recollect the amount of those things, but the sum altogether I do recollect; it was some time before the dissolution took place, and a good deal of canvassing had to be done twice over; that was the reason given to me for the expenses being considered to be so large as they were; but the large amount then was 408 *l.*, comprising everything.

2999. Did you ever pay a single farthing more for expenses at that election?—No, I did not.

3000. And then you say there was music allowed, and banners?—Yes.

3001. Now, upon the present occasion, did you countenance the employment of musicians?—I had nothing whatever to do with it.

3002. Nor banners?—No; nor were any employed by me, as far as I know.

3003. You don't know that anybody was employed for that purpose?—Not that I know of.

3004. I suppose it is very difficult to check the exuberance of certain spirits in a borough like Maidstone; they will develope it in sweet sounds?—It is the same in the county.

3005. You have not countenanced it, or employed any men as banner men or musicians?—I had nothing to do with it; in 1852 they were included in the expenses, but never since, nor have I had anything to do with it.

3006. Do you know a person of the name of Henry Chambers?—I saw a witness, who called himself a master blacksmith; there are several Chambers's. I don't recollect this one by name; I made a note of what he said.

3007. You were present when he gave evidence?—Yes; I did not recollect him before that.

3008. Did you recollect him at the time you saw him?—Not when I saw him here; there is another Chambers I do recollect, but not that one.

3009. Then I need hardly ask you whether you recollect canvassing him?—No; amongst so many, I presume we did canvass him.

3010. Did he, or anybody else, tell you that he had not voted for you; and did you say, "Will 30 *l.* or 40 *l.* be of any use to you?"—Certainly not.

3011. Did you say anything of that kind?—Not to him or to anyone else, certainly not.

3012. Did you take some money from your pocket, and offer it to him?—Certainly not.

3013. Is there one word of truth in that?—There is not; I did not spend one sovereign during the whole of the election or canvass. I will tell you what I did spend; I spent 1 *s.* on one occasion to buy some cherries or strawberries.

3014. Was that for an elector?—No, it was for myself; a very hot day.

3015. Did you buy them of an elector?—No.

3016. Did you hand any money to Mr. Lee?—Certainly not; I did not carry any money with me.

3017. As a matter of fact, whenever you canvassed, did you canvass in company of your agent?—I was never alone.

3018. Then such a transaction as that stated by Mr. Chambers I may take to be an utter fabrication?—Yes; I can say it positively, that I never was in the man's forge, in which he describes himself as being at work between 10 and 11 o'clock at night; I never went into the blacksmith's shop at that time of night.

3019. There is no colour for it at all?—There is none whatever; I did not canvass at that time of night, nor did I go into the town of Maidstone, except on the evenings of public ward meetings.

3020. At no other time?—At no other time of the evening.

3021. You know the quartermaster who was examined?—He was my sergeant when I was in the West Kent.

3022. We understand you did assist his son in getting testimonials?—His son came to me some time early in the spring, before a dissolution was talked of, and asked me for a recommendation.

3023. And you had known him well, had you not?—I had known the father; I did not know the son before.

3024. And from the knowledge which you had of the father, did you consider yourself justified in recommending the son?—I considered the father a most respectable man; he was considered our very best sergeant in the West Kent, at the time I belonged to it, and was afterwards made quartermaster in consequence of his merit as a sergeant.

3025. You recommended the son to Mr. Lee?—I recommended the son on his own application.

3026. Was that before you were spoken of as being a candidate?—Yes.

3027. Before the dissolution?—Long before the dissolution.

3028. And Mr. Buxton, at that time, was in the field?—He was.

3029. Have you paid the present election expenses?—Yes.

3030. How much do they amount to?—My share, 280 *l.*

3031. I ask you, did you, by every means in your power, avoid everything like improper expense?—Most decidedly.

3032. And entered into the contest with the firm determination that you would not be led into it?—Certainly; I had two reasons for that; one was, that I was not anxious to be in Parliament, and still less to have any chance of a petition, or anything of the kind.

3033. You were indifferent about being in Parliament?—I was perfectly indifferent about it.

3034. Possibly there may have been some matters stated about you, which I may not have in my recollection at this moment; does anything occur to you which you wish to state?—Something was said about one of these Chambers's having been employed to do some work for me; I do not know whether it is of any consequence or not, but that Chambers, who was so employed, was a small builder, who was not employed directly by me, nor did I know anything about it; he was employed by my land agent, Mr. Soneerfield, who was a Conservative.

Cross-examined by Mr. *Hill*.

3035. You have told my friend that you made up

up your mind to stand shortly before the dissolution?—Yes.

3036. When was it first mooted as to your standing for Maidstone?—When Mr. Buxton was asked to stand for another constituency.

3037. When, for the first time before the last dissolution, was the question mooted of your coming forward for Maidstone?—I do not recollect the precise date, but Mr. Buxton himself wrote to me upon the subject.

3038. Was the letter of Mr. Buxton to you, the first intimation of your being about to stand, or the first proposal for you to stand for the borough of Maidstone?—Yes.

3039. The very first?—Yes.

3040. The first time your name was brought before the public as likely to come forward for Maidstone?—My name was not brought before the public as a candidate for Maidstone until Mr. Buxton made up his mind to retire.

3041. Was that the first time, Mr. Buxton's writing to you, of your name being brought before the public as likely to stand for Maidstone at the ensuing election? Was the letter of Mr. Buxton precedent in order of date?—The Conservative paper in Maidstone, published more than a year before, had said that I should probably be a candidate, but it had no authority for saying so, and no ground for it.

3042. No ground for that, and you had made no suggestion yourself?—Certainly not.

3043. Had that been repeated from time to time, up to the time of Mr. Buxton writing to you?—That paper said so occasionally; but I know nothing more of it than that.

3044. Was it pretty generally known that Mr. Buxton was not coming forward again for Maidstone?—No; it was not, nor was it determined.

3045. Thereupon, what was it suggested that you would be likely to come forward to oppose Mr. Buxton?—I do not know what the Conservative statement was; there were some of these rumours, but I did not pay any attention to them.

3046. What was the date of Mr. Buxton's letter to you?—I do not recollect; he had been writing for about three weeks; his correspondence lasted for a fortnight or three weeks; there were three or four letters altogether; he wished to retire, I wished him to remain.

3047. Was the first intimation from Mr. Buxton to you only three or four weeks before the dissolution?—It might have been a little more than that.

3048. Am I wrong in fixing it as three or four months?—It was three or four weeks; it was about three weeks, to the best of my recollection, before the announcement of his retirement, and the announcement that I would be a candidate.

3049. Will you give the date of the announcement of Mr. Buxton's retirement—was it before the dissolution?—I do not recollect; that is matter of notoriety.

3050. The election was on the 12th of July, and the dissolution was some short time before that; cannot you tell me nearer than three or four weeks; the date I have put is three or four months?—We did not come to London last year till late after Easter, and I think Mr. Buxton's correspondence was before that, but whether it was settled then or not I do not recollect; we did not come to London till May last year.

3051. Some time about Easter?—I really cannot say.

3052. Is that about the time?—Yes.

3053. Then it would be the end of April or the beginning of May?—I am not certain about that.

3054. Did not it generally become known some time about the 20th of April?—No, I should think not.

3055. Did you not see it stated pretty generally, or hear it stated pretty generally, about the 20th of April?—There was nothing stated about it positively until Mr. Buxton had announced his retirement.

3056. Did you not hear it stated pretty generally about the 20th of April?—I have told you before I do not recollect the dates.

3057. Shortly before you came to town for the season, which was the beginning of May?—I think it was so; I can give you more precise information about the time we came to town, if you wish it.

3058. Had it been suggested in the Conservative paper about a year before that time that you were likely to stand with Mr. Lee?—I really do not know.

3059. Were your names put together as being the gentlemen likely to stand and contest the borough on your mutual principles?—The Conservative paper was always doing such things to damage Mr. Buxton, but it was no business of mine.

3060. No matter whom it was done to damage; were you not put forward in conjunction with Mr. Lee; was it not said Mr. Lee and Mr. Whatman, and so on?—My name was mentioned in this paper in that sort of way, but I paid no attention to it. There was no foundation for it.

3061. However, the result justified the anticipation, at any rate. What was the first public steps that you took to announce that you were standing for the borough?—The precise day upon which it was settled was the day before the publication of the Liberal paper. The day of the week was the Monday, and the announcement was printed that evening; but what was the day of the month, as I have said, I do not know.

3062. How long before the election?—I do not recollect the time. The dissolution was postponed for some time after that.

3063. I have forgotten the time of the dissolution?—So have I.

3064. How long was it before the dissolution?—I do not recollect.

3065. How long was it before the election? Was it a fortnight, or three weeks?—I should think a good deal more than that. It must be more than that, because we came to London after this had been settled, and we remained in London about a fortnight before I had to go down to canvass. By consent of both parties the canvassing was put off as long as it could be.

3066. Will you tell me what was the date of your first coming forward publicly at Maidstone, you being announced as a candidate. First as being announced as a candidate, you say you cannot tell me that. And then I ask you what was the date of your first coming forward publicly?—My first appearance was at a public meeting the day after I went down from London for the purpose of attending that meeting.

3067. Tell me about when that was?—It was some time in the month of May.

3068. And in all probability, as you say, about a fortnight after you had come up to town?—Yes.

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Yes. Before I went down I gave Mr. Betts' notice that I was going.

3069. At any time were any steps taken as to appointing a committee?—I know nothing about the appointment of a committee.

3070. You were not told anything about a committee?—I know nothing at all about it.

3071. Had you at that time appointed any agents?—Not until it was legally necessary to do so.

3072. At this time in May were you received by a certain number of gentlemen of the blue party?—Yes.

3073. Who were they who received you?—The leaders of the party, Mr. Arkcoll and Mr. Ellis.

3074. Mr. Wells?—Yes.

3075. Mr. Misson?—I do not recollect him. There are several of that name.

3076. We have only had one mentioned?—There are several in the town, and some are voters.

3077. Do you not know Mr. Misson by sight?—No.

3078. Was he not generally out canvassing with you?—There were so many that I do not recollect one half of them. Anybody was at liberty to go.

3079. Should you know Mr. Misson if you met him at Maidstone?—I do not think I should.

3080. Did Misson go out in a carriage with you, canvassing?—Not that I am aware of; several gentlemen went.

3081. Can you tell me the names of any of those who went about the town in flys with you?—We did not go about the town in flys. We went about in flys to Tovell.

3082. You went at one time to canvass the out-voters?—Yes; to Tovell.

3083. You heard the evidence given; was not Misson one of that party?—Not to my knowledge.

3084. I understand you to say you do not know Misson by sight?—No.

3085. Do you know a person of the name of Edward Mason?—Yes; I know him because we used to have cabs from him.

3086. Did you not see him out canvassing with you?—I do not recollect it.

3087. Was not Mr. Misson on your committee?—Not to my knowledge.

3088. Do you say that to the best of your knowledge, Misson was not on one of the committees?—I do.

3089. And not one of those who accompanied you in going round the town?—I don't recollect.

3090. By the *Committee.*] I think you said that you do not know of any committee?—I don't.

3091. Mr. *Hill.*] I was just going to ask you that question. Had you no committee at all?—Not that I am aware of.

3092. Was there not any list of the members of your committee?—I never saw any, or heard of one.

3093. Did you not go at any time to any house at which certain meetings were held?—There were ward meetings, as you have been told, held in different parts of the town. I was going to say that the town is divided into four wards, and there was a meeting held in each of the wards, which we attended. Those were public meetings, and those were not committee meetings.

3094. Do not you know that there were any rooms set apart as your separate committee-rooms in those houses in the four wards?—No.

3095. Now, Mr. Whatman, were there not certain boards hung out of the windows of more than one of those houses?—Upon the polling day there were.

3096. Were there not before the polling day; on the nomination day?—There might be; but I was so busy that I did not attend much to it.

3097. Do you mean to say that there were not meetings of persons calling themselves your committee, in certain rooms which had been engaged in those four wards?—There might be, or there might not; I know nothing at all about it.

3098. Do you mean to tell the Committee that you do not know it?—I do.

3099. That being so, that you do not know that there were meetings held at the four places for the four wards?—I did not say that there were four meetings. What I said was that I did not know that they were committee meetings.

3100. What meetings did you know of?—These were public meetings which we attended, to which any person might come. These meetings were held on public evenings. I do not know of any committee meetings.

3101. Will you tell me any public evening on which a meeting was held, which was not a committee meeting?—Our canvass lasted a fortnight.

3102. Are you speaking of the canvass in May?—The only canvass there was between May and the election; I was going to say that that lasted about a fortnight, and there were two or three of these ward meetings held in each week, in the evening, and those meetings I attended.

3103. At what houses were those meetings held for the different wards?—There was one in the West Borough, at the top of the hill, on the Tonbridge-road, I do not recollect the name; there was one at a house at the top of Stone-street, a house kept by a man of the name of Bodkin, I do not know the name of it; there was a ward meeting at the "Bull," on Gabriel's-hill; there was another held at a house called "The Compasses," somewhere near the gaol. There was one at Tovil's.

3104. Were those the four; I think you have mentioned four?—There were more than four meetings held, and they might have been held at four houses; I do not recollect any more at this moment.

3105. That was during the May part of the canvass?—Yes.

3106. At that time did the same persons attend, if I may use the term, promiscuously, at all these four meetings, or were there certain persons who went to the meetings in the different wards?—Generally they were different people; they were the people of the ward who attended the ward meetings.

3107. People of the different wards attended the meetings of their own wards?—Yes; and there were a few others.

3108. You say that you have seen Mason by sight; in which room did you see him the most?—I do not know him particularly, nor did I notice him particularly at any of those ward meetings.

3109. Do you know Samuel Day?—I am not sure which is Samuel Day.

3110. He is called "young Day"?—There are several

several sons, and I do not know one from the other.

3111. Do you know old William Day?—Yes, I do.

3112. In which room do you recollect you saw him?—I do not think I ever saw him in any of them.

3113. After that May canvass, when was the next time that you visited Maidstone?—After the canvassing was over.

3114. Yes; which you say continued about a fortnight?—Yes; I think so. We returned to London, and I had to go to the Queen's ball. I forget when that was; then we left London after that, and remained at home all the summer.

3115. Were you down at Maidstone about the 12th June?—Very probable, I do not recollect the dates.

3116. Were you down for about a week or so?—If you can tell me the date of the Queen's ball I can answer the question.

3117. I cannot tell you the date of the Queen's ball; I had not the honour of being asked. If I tell you the date of the Ascot races shall you be able to tell me then?—I am not in the habit of going to Ascot.

3118. I did not intend to offend. Was it in the middle of June that you were down there?—Yes, I should think so.

3119. Were you in Maidstone most of the days that you were near Maidstone?—No, I never went to Maidstone if I could help it.

3120. Did you not go into Maidstone several times in the middle of that month "June"?—Of course, I had occasion to go.

3121. Will you tell me whether you were not in Maidstone on the 12th, the 13th, the 14th, the 16th, the 19th, and the 21st June?—No, I really cannot tell you.

3122. Can you say you were not?—No, I cannot say anything about it.

3123. Were you in Maidstone several times during that week?—I really cannot recollect.

3124. You don't recollect?—No.

3125. Were you not canvassing in Maidstone during that time?—I would tell you, but I really cannot.

3126. Were you not canvassing in Maidstone during the middle of June?—During some part of June, no doubt.

3127. Were you not canvassing in Maidstone in the middle of June; I have a reason for asking that question?—I cannot tell you.

3128. Were you taking any interest at all in the election?—Of course I was.

3129. You said just now that you were indifferent as to going into Parliament, and therefore I ask you, were you taking any interest in it at all?—I was indifferent so far as looking out for a seat in Parliament. But having been asked to stand for Maidstone I thought it proper to do so.

3130. And to canvass?—And to canvass in a proper manner, and not improperly.

3131. I am not saying anything about your convassing improperly. Were you canvassing Maidstone during the dates I have mentioned?—I do not recollect.

3132. Were you canvassing Maidstone in the middle of June?—I can only tell you by knowing the date of my leaving London and returning to Maidstone.

3133. Am I to take it that you have so vague a recollection of the whole matter that you can give no special dates, and no special circumstances; I am afraid we must put it generally, if you have such a bad recollection with regard to it?—I am so busy from day to day that I cannot recollect.

3134. Was it from day to day that you were in Maidstone?—Some times for several days following.

3135. You say sometimes for several days following?—It is very possible it might be, but I do not recollect.

3136. Did you, when you went into Maidstone upon these days, go to the ward meetings in the different wards?—Of course, if I wanted to go anywhere I went. I have told you before that these rooms were only used as far as I know for these ward meetings. They were public meetings for discussion, people speaking at them.

3137. These rooms that you went to in the middle of June were, you tell me, public meetings for discussion?—Yes.

3138. And you know of no others?—I know of no others.

3139. And you say that you had no committee?—I never heard of any.

3140. Will you tell me how, if that is the case, you came to tell my learned friend in your examination in chief, and I will quote your own words, "had I known of anything of the sort, I should have immediately retired if my committee knew it." What did you mean by those words "my committee"?—I meant the registration committee. There was no election committee as far as I know. That is what I meant by the words.

3141. What did you mean by the words "my committee" if you had no committee?—I will tell you who those gentlemen were; there was Mr. Ellis, Mr. Cutbush, and Mr. Arkcoll; I do not recollect any more at the present moment.

3142. Mr. Wells?—Mr. Wells was the agent.

3143. Mr. Edmett?—Mr. Edmett was formerly, but I do not really know whether he goes on now. It is some time since I attended to it, and the thing is differently arranged now.

3144. Mr. Stanger?—I do not think so.

3145. We have had three witnesses who said he was?—I do not recollect that he was.

3146. Do you know Stanger?—I have had no communication with them in this way, and I do not know. Two gentlemen came to me and asked me.

3147. I am not asking you that. My question to you is, do you know Stanger?—Yes, perfectly well.

3148. Was Stanger a member of your committee?—Not that I am aware of.

3149. Was Stanger one of your committee?—Not that I am aware of. I have said before, I do not know of any committee.

3150. Was Mr. Thomas Chambers one of your committee?—No.

3151. Was Webb?—No, I do not know a Mr. Webb.

3152. Did you see old Mr. Day upon your committee?—No, I did not.

3153. Do you mean to say that those three or four men, the names of whom you have given, were the whole of your committee, and that there was no one else on your committee?—I do not know that, as I have said before, of any election committee at all. These were the gentlemen who managed the registration.

3154. What do you mean by "the committee"?—I was merely using the word that was put into my mouth.

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3155. Who were the persons with whom you communicated, and said that you would have everything done with principles of purity?—They were Mr. Arkcoll, Mr. Ellis, and Mr. Cutbush.

3156. Were those the two or three persons whom you informed you would have everything done upon principles of purity?—Yes.

3157. That being so, did you know anything about the employment of bands and colours?—No, I did not.

3158. Did you know that bands and colours were used. You could scarcely fail to know that, I suppose?—I saw them there.

3159. You yourself believed that bands and colours were employed, and no one was to pay for them?—I did not know who paid for them, or anything at all about them.

3160. Then you were under the impression that they were not paid for?—I did not know anything about it.

3161. You did not take the trouble to inquire?—No, I certainly did not. I had forbidden any improper expenditure, and I was perfectly satisfied that I could trust those gentlemen whom I have named.

3162. And you relied on them to see that nothing illegal should be done?—I did.

3163. You were in their hands?—Yes.

3164. You were in the hands of those three or four persons I have mentioned to you?—Yes.

3165. You yourself knew that the employment of bands and colour-men would be illegal?—I do not know anything at all about it.

3166. Had you not looked at the Corrupt Practices Act?—I knew it was wrong.

3167. You were completely in their hands, and took no trouble to inquire about it?—The bands and colours only appeared on the nomination day and the polling day.

3168. Did you yourself look through the accounts that were sent in—the election accounts?—I did not see them in detail.

3169. Had you not them handed to you?—No, I never saw them.

3170. Who was the person whom you saw?—I saw the general statement which was published.

3171. Were they shown to you?—Not the bills themselves. The general statement which was published was shown to me, but not until after it was made out.

3172. I will take the very first that turns up to my hand. Now, will you be good enough to look at the bit of paper, "Lee and Whatman to Henry Jury." Mr. Jury kept, I believe, the Bull Tavern?—Yes.

3173. Will you look at the first four items there. Have you ever seen that bill before?—No, not to my knowledge.

3174. How many days' committee-rooms are charged for there?—I will read it: "June 12th and 13th." It is written in two lines, "June 12th, 2 days' use of committee-room," and "13th and 14th, writing paper 1 *l.* 12 *s.* 6 *d.*; 16th, 19th, and 21st, 3 days' ditto, ditto, 1 *l.* 11 *s.* 6 *d.*; 23d, 26th, and 30th, 3 days' ditto, ditto, 1 *l.* 11 *s.* 6 *d*; July 3d and 10th, 2 days' ditto ditto, 1 *l.* 4 *s.*; July 12th sandwiches, ale, sherry." I am not upon that. If you will direct your attention to the items which I drew your attention to in the first instance, I shall be obliged.

3175. How many committee-rooms do you find charged there?—Eleven days.

3176. Those 11 days were at the Bull Inn?—Yes.

3177. And then there is "Use of rooms for the committee," besides, at the bottom of the page, and the amount for that is put down at three guineas.

Mr. Serjeant *Ballantine* stated that that was on the day of the election.

Mr. *Hill* stated that he did not know which day it was, that there was no date put against it, and that he had read it exactly as the item was upon the account.

3178. Is Richard Thomas Nicholson a printer at Maidstone?—There is a printer of that name, I believe.

3179. Will you be good enough to look at the items towards the bottom of that page—[*Handing a document to the Witness*]—and say whether you do not see there also the printing of circulars for the committee under two or three items. I am not quite sure whether there is over the leaf, or not?—"July 4th, printing four cards each, No. 1 to 25, 3 *s.* 6 *d.*"

3180. You will not direct your attention to the one I am asking you to do; do you see this—"Printing 50 post 8vo. fly-leaf circulars.—Committee Meeting, Stone-street Ward, 3 *s.* 9 *d.*; ditto, post 8vo. fly-leaf circulars Committee, 4 *s.*;" and then "Printing 200 official envelopes, Central Committee. Ditto, 100. Ditto King-street Ward;" do you see those three items?—I heard what you read; I have never seen these bills before.

3181. Having seen that bill and the other bills which I pointed out to your attention, do you tell the Committee here to-day that this is the first time that you have heard that you had a committee down at Maidstone?—I did not say that. I said it was the first time I had ever heard of any committee.

3182. Do you say that this is the first time of your having heard of having several committees at Maidstone?—I never heard of these committees; nor do I know anything at all about them further than I have told you.

3183. You did not know of them before to-day?—I know that there were meetings held at different places.

3184. You did not know that you held a committee for each of the four wards; and also a central committee at the "Bull Inn"?—I do not know anything of the organization.

3185. You were in and out of the "Bull," pretty frequently, were you not?—No; the "Bull" was engaged for the county election. I was chairman of the central committee for the West County.

3186. Pray do not let us trouble ourselves with the county election. We have quite enough to do to attend to the borough election?—It is the only answer that I can give you.

3187. If you really think it is pertinent to my question, I will leave it to you?—You asked me whether I went to the "Bull Inn."

3188. I should think that you must be well aware that I could not be asking about the county election?

Mr. Serjeant *Ballantine* stated that he really did not know which election the learned Counsel was referring to.

Mr. *Hill* stated that he was very sorry that he had not made himself intelligible to the other side.

3189. Were you in and out of the "Bull" several

several times?—I was on the county election, but not upon my own account.

3190. Do you mean to say that you did not go into the "Bull Inn" upon your own election?—Except to the ward meetings.

3191. How many times did you go to those ward meetings?—Only once; it was only one evening.

3192. Do you mean to say that it was only one public meeting that you went to the "Bull" about?—I do not recollect any other.

3193. Can you tell me that you did not go to the "Bull" on several other occasions?—I was trying to recollect any one. I do not recollect any meeting at the "Bull Inn" that we had, except that one ward meeting. It is a large room upstairs.

3194. How many times did you go to the "Bull Inn," on the county business?—Several times.

3195. At what period, and at what dates were those attendances?—I cannot tell you any more than I could the former dates, and for the same reason, I do not recollect when I was there.

3196. How is it that you recollect so much better about the county business than about the borough business?—I do not recollect the dates of either.

3197. But you recollect that you went several times to the "Bull Inn" about the county election?—Certainly.

3198. And you do not recollect going to the "Bull Inn," to more than one public meeting upon the borough election?—Only one public meeting in the evening.

3199. How many times did you go to the "Bull Inn" on the business of the borough election?—I cannot tell you; I do not believe I went at all, except for this evening meeting.

3200. How many times did you go to the four places that you have mentioned on the business of the borough election?—On the evening of the respective meetings; it might be five or six times.

3201. Five or six each?—No; altogether.

3202. Do you mean to say that all the times that you went to those five public-houses at which those meetings were held, and which I have called committee meetings, and which are so charged for in your bill; do you mean to say that five or six times is the number of the whole times that you went to those houses altogether?—To the best of my recollection, it is. At the top of Toothill we had to go on the occasion of a public meeting; and also on the day on whch we went out canvassing.

3203. Having been there for the fortnight in May, and having been there for this week, which you have mentioned in the middle of June, you tell this Committee that five or six times is the whole number of times that you went?—We had no rooms.

3204. Answer that question, yes or no?—Yes, we did not go into any public-house at all.

3205. I am speaking of these four places, and the central committee-room?—Yes.

3206. Who conducted the election for you?—Mr. Wells.

3207. That being so, you took so little interest in the matter?—I was in the hands of the electors, and I knew nothing of it.

3208. Do you mean to say that without any ruling hand the electors conducted your election?—I say, and I do believe, that these three or four gentlemen had the control of it.

3209. Then you call these three or four gentlemen "the electors," and it was they who conducted the election for you?—They were the gentlemen who looked after the registration; they were the gentlemen who invited me to stand for the borough of Maidstone; and beyond that I know nothing of the organization.

3210. You really know nothing of the organization, or of the mode in which the votes were obtained?—I know of no other mode by which the votes were obtained than by the free will of the people.

3211. You yourself were canvassing, and stayed sometimes rather late in the evening in Maidstone?—I never stayed after these ward meetings were over; I always went home directly.

3212. How late have you ever stayed in Maidstone at the time of the election, and upon the business of the election?—I always went home as soon as possible from these ward meetings.

3213. If you were a person in a less good position than you are, Mr. Whatman, I might perhaps make a remark which you would consider rude; you must answer my question. How late were you in Maidstone?—The meetings never lasted later than 10, or much after 10; and I do not believe that I got home later than a quarter past 11; I always walked home.

3214. As late as 10 o'clock?—Yes, the meetings generally began at eight o'clock, and they generally lasted two hours, or two hours and a half.

3215. Then you would be there from about eight o'clock, until half-past 10 or 11?—Yes.

3216. You have been there as late as half-past 10 or 11?—Is that a question?

3217. Yes; have you been as late as half-past 10 or 11 in Maidstone on the business of the election?—I have.

3218. By which I am to understand that you have been as late as half-past 10 or 11?—Yes.

3219. That being so, will you tell me this: you say you never went home by yourself, will you tell me whether you did not walk upon one occasion with Mr. Lee after he attended one of these ward meetings?—No.

3220. Was Mr. Lee present at these ward meetings?—Mr. Lee was present at every ward meeting that I was at.

3221. Then did Mr. Lee come out with you after the ward meetings were over?—We always came out together—at the same time, I mean.

3222. And that would be about half-past 10 or 11 o'clock at night?—When the meeting was over.

3223. Will you tell me where you went to after these meetings were over? Did you go each night direct to your home?—I did.

3224. Did Mr. Lee go with you?—No, he did not.

3225. Mr. Lee stopped, as we have heard, some nights in Maidstone?—I believe so.

3226. Do you know where he stopped?—No, I do not.

3227. Did you yourself ever stay in Maidstone any night?—Never.

3228. How far is your house from Maidstone?—About a mile.

3229. You say you always walk home. On which side of Maidstone is your house?—On the east side, on the Canterbury side.

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3230. When you came out from the ward meetings, did one or two of your supporters (not to call them committee-men) come out with you?—Yes.

3231. They did?—Yes.

3232. Do you remember going down, or do you not, in the direction of Chambers' forge?—No. I have heard that man give his evidence; you mean the blacksmith.

3233. Yes?—And I tell you positively that I never went to his forge at that time of night.

3234. Do you mean to say that you never canvassed that part of the town?—We canvassed every part of the town by day; I never canvassed by night.

3235. Did you never go near that part of the town of an evening?—I do not recollect where the man lives at all. I do not know where his forge was.

3236. I will tell you: Pudding-lane?—There were some people called Chambers living in Pudding-lane, or some of those streets thereabout, and I recollect being asked to go to Chambers by his nephew. On one evening I went there before the ward meeting took place; that is, before eight o'clock; that is the only time I went.

3237. You mean, as far as you recollect?—I was asked to go another time, and he was not at home. His nephew was with me on the occasion upon which I did see him.

3238. You went twice when he was not at home?—Yes, on the day; I have told you that Chambers was a builder, not a blacksmith; that was the man I referred to when I said that my land agent had employed him to do some small repairs or other.

3239. You have told my learned friend that, as it appeared upon the books, there was a large majority for you?—Yes.

3240. And you have said that that majority melted away?—Yes.

3241. Did your mind never suggest to you any reason why that majority melted away?—I do not wish to attribute motives to any party.

3242. Oh, we do not care about motives here. You say it melted away. I apprehend that you must have considered that there was a reason for its melting away?—I thought that money was being spent, or promises of money were being made on the other side.

3243. Will you tell me to what extent that majority melted away?—I cannot tell you precisely, but I believe when the books were made up we ought to have had a majority of about 190.

3244. And as the fact ultimately turned out you had a majority of what?—Of about 30.

3245. Then the majority melted away to the tune of about 30?—Yes.

3246. That was not through any laxity in not bringing the persons to the poll?—I know nothing about it.

3247. You do not know?—No.

3248. You say that the 190 melted away?—Yes.

3249. What were the books in which you saw that you had a majority of 190?—I was occasionally shown some of these canvassing books.

3250. Some of the canvassing books?—Yes.

3251. Will you tell me by whom you were shown these canvassing books?—By our agent, Mr. Wells.

3252. Who were the persons to whom those canvassing books had been confided, and from whom and whose were the returns that you saw?—I do not know; I never saw them all; I only saw them occasionally; I was told the result. I know that the books were carefully made up, and the doubtful were not put down.

3253. When did you last see those canvassing books before the election?—I did not see them regularly; I only saw them accidentally, as it might be; and I was told the result from time to time. That is the most that I can tell you.

3254. People do not see canvass books by accident. I do not suppose that the other side saw the canvass books?—I mean not regularly.

3255. How many times do you think you saw the canvassing books?—Perhaps two or three times altogether. I never examined them.

3256. Was that at the end of the May canvass or at the end of the June canvass?—I cannot recollect.

3257. Do you mean to say that you never saw any canvassing books at the May canvass, so as to let you know what majority you were likely to have?—It must have been towards the end.

3258. At the end of the May canvass?—It was towards the end of the polling; it was immaterial, of course, before.

3259. That of course does not follow. Will you tell me when it was that you first saw the canvassing books?—I do not recollect. I did not see them more than I have told you. I cannot tell you anything further about it.

3260. How many canvassing books were there?—I do not know.

3261. How many were shown to you?—I really do not know. We canvassed systematically each ward.

3262. You canvassed each ward, how?—In its turn, and I was told the result of our personal canvass to the best of my recollection. I was told occasionally what the total gains were, but I never examined those books or cared to see them in that way.

3263. Did you take each ward on different days?—Yes.

3264. And did different persons go round each ward with you?—Different persons did. Very seldom the same person went round with me.

3265. Some persons went to one ward with you, and some other persons went to another ward with you?—Yes. That is so.

3266. Now I was asking you as to this majority melting away, and you said you had formed no opinion as to its melting away?

> Mr. Serjeant *Ballantine* stated that the witness did not say so. He said that he formed no opinion that money had been expended and promises had been given.

3267. Mr. *Price.*] Then you thought that a considerable number, I think you said 160, had passed away on account of promises of money by the other side?—I thought that. I thought that about half of that number had passed away, because if you take 80 from one side and put it to the other it makes about 160.

3268. Did you remain, then, of your former opinion that there was need of money? Did you still remain of that opinion?—I was certain that there was no need of money to be expended on our side, nor did I authorise any one to expend it.

3269. And you still remained of that opinion at the end of the whole affair?—Yes, I did.

3270. Now

3270. Now you have said, Mr. Whatman, that you were never alone on any canvass?—I have.

3271. Will you tell me this: did you ever go on a canvass, followed by about six persons, and speak to a voter at any time in the presence of those six people?—I think so, in the town.

3272. Will you tell me how few people; whether more than one or not had been present when you have spoken to any voter?—We never regularly canvassed, I think, with less than three or four. There were a dozen or more generally. Sometimes four and sometimes less. These numbers constantly varied; we were calling on the people, and we could not watch the numbers.

3273. I am asking you this question, and you can answer it if you choose. Can you give us the smallest number that were ever present when you spoke to any voter?—When I spoke to any voter is different to going about canvassing; I never spoke to any voter that I can recollect. Upon this occasion that I went to see Mr. Chambers, I drove there in my own carriage. He was not at home, and I did not see him.

3274. Was that the only time that you ever went alone to see a voter?—I think so, in the town.

3275. You think so?—Yes. There were some voters living in the county to whom I went.

3276. Did you say that you went to see them alone?—I thought you were speaking about the town.

3277. It was in answer to the question from my learned friend that you said you were never alone?—Yes, and so I do now.

3278. Were you ever alone, or not?—I never went out canvassing alone; I was requested to call upon this man Chambers, and I did not find him at home. That was on my way to a ward meeting.

3279. And that was the only time that you were required to speak to a voter?—Yes.

3280. Can you state that positively?—Yes.

3281. Will you answer the question that I put to you before? Did you ever canvass a voter with only one other person present?—I do not recollect any occasion.

3282. You do not remember any occasion? Turn it over in your mind, and tell me if you can whether there was any occasion?—I recollect walking along Week-street with Mr. Lee, and I should say some two or three other persons, on our way to one of these ward meetings. That is the smallest number that I can recollect.

3283. The smallest number that you can recollect was with Mr. Lee, and two or three others?—Yes.

3284. Will you tell me when that was?—I cannot tell you the day.

3285. Was it in June, or getting nearer the election day?—It was in the evening of one of these ward meetings.

3286. That was in the evening?—Yes.

3287. Who were the two or three that were with you on that occasion?—I do not recollect. I should say that Mr. Wells was one.

3288. You do not recollect any other?—No. I will tell you who we went to call upon. It was a man of the name of Bevis.

3289. Which ward meeting had you been attending to that night?—This was before the ward meeting. I think it was at the Compass, up by the gaol.

3290. Which ward meeting was that?—I suppose it was called the "King's-street Ward." The meeting was at this house up by the gaol.

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3291. You know the names of the wards very well, do you not; at least, I should apprehend you do?—I believe it was the King-street Ward.

3292. Up to what time were you and Mr. Lee in the minority upon the polling-day. You were in a minority in the morning?—Early in the morning.

3293. You were in a minority up to about 11 o'clock, were you not?—I believe it was about that time. It was not much later. It was about that time.

3294. Did you hear the result of the poll after that. Did you know?—Mr. Lee and myself did.

3295. You say you were in minority up to 11 o'clock. I was going to ask you how did the poll go on after that time?—We were at the head of the poll, I believe.

3296. And you remained at the head of the poll from that time until the close?—I believe so.

3297. Was the majority increased gradually as the poll went on, or how was that?—I do not know very much about that. I believe it went on gradually, but we were going about the town, and I did not take particular notice. I saw occasional statements of the result of the poll.

3298. I suppose you took a sufficient interest in the election to read the returns the next morning at breakfast, if not before?—I had constantly brought to me the general statements. But the accounts were coming in from the four wards. Slips of paper coming in from either ward, and the whole number were only made up at certain intervals of the day, and I only saw these general statements cursorily.

3299. You do not seem to have taken much interest in it?—Yes, I did, very great.

3300. Now tell me this: where were these returns exhibited?—They were hung out of the room in High-street.

3301. Were they hung out of these four rooms, which we must not call committee-rooms?—I do not know.

3302. Do you mean to say that you do not know whether the returns were hung out?—They were exhibited in some parts of the town, but I do not recollect where. You ask me whether there were committee-rooms during the canvassing; at this moment you are asking me about the poll day. You were asking me before, if I did not know of any committee-rooms during the time previously to the polling day.

3303. The committee-rooms, remain, I say, and they were known by the same names all through. Were boards hung out of these houses where there were committees held? I call them committee-rooms, but you need not adopt the phrase unless you like?—I do not know.

3304. Did you go into any of these rooms on that polling day?—I think the only room I went in, was that room where the slips were received from the polling booths.

3305. Where was that room?—That was at the corner of the High-street.

3306. What was the name of the house?—It was a private house.

3307. It is a house we have spoken of; one which was empty, and had been used for that purpose, opposite the Haunch?—No; opposite the Bull.

3308. Was that the only house you went into?—It is the only house I recollect going into.

3309. By the *Committee.*] Where was this house?—

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house?—In the High-street. In the most central part of the town. I believe the room was only used on that day. It was the only day on which I can say it was used,

3310. Mr. *Hill.*] You did go into other rooms on that day?—I do not recollect.

3311. You say you were going about the town; where were you going to?—I was asked to go and see some of these voters, and show myself in the different wards in the public streets.

3312. Did you go round to any of the voters' houses upon that day?—Yes; we went to ask several of the people who had promised to vote, to do so.

3313. To be as good as their word?—Yes.

3314. Who went round?—No one, systematically.

3315. Who went round unsystematically?—I do not know.

3316. Who walked with you?—I do not recollect.

3317. Do you mean to say that you cannot tell who went with you to the different houses of these voters to look them up, on the day of the poll?—I am trying to recollect the person, but really I cannot.

3318. Your laugh is scarcely an answer to my question. Do you mean to say that you do not recollect the name of a single person?—No, there was a great crowd and hurry all day long.

3319. Did you go about with the crowd to these persons' houses?—No, what I say is that there was a great crowd all day long.

3320. Did old Mr. Day go with you that day?—I should say certainly not.

3321. Did Mr. Wells go with you?—I should think Mr. Wells was too busy.

3322. Did Mr. Mason go with you?—I should say not.

3323. Did Mr. Arkcoll go with you?—I think he was engaged the whole time in this room where the slips were received.

3324. Do you wish me to take this, that your recollection of what took place on that day is so vague that you cannot give me the name of a single person who went round with you upon that day?—Yes.

Re-examined by Mr. Serjeant *Ballantine.*

3325. Mr. Wells was the person who you employed as an agent?—Yes, he was.

3326. And did you leave the arrangements pretty much to him under restrictions that you have already stated?—Yes, entirely.

3327. You say that three or four gentlemen whom you have treated as committee-men waited on you upon the subject of the election. Were those gentlemen members of a Liberal association that constantly exists at Maidstone?—They were.

3328. And in that respect they are committee-men?—Yes.

Mr. *Hill* intimated that he considered it would be better that the witness should be asked the question, and that the words should not be put into his mouth.

Mr. Serjeant *Ballantine* stated that he was surprised to hear his friend make an objection, cosidering the enormous length of his cross-examination.

Mr. *Price* stated that he could not allow the irregularity that was being practised now.

Mr. Serjeant *Ballantine* stated that he was always glad to fall into his learned friend's views if he possibly could.

3329. You say that they were members of a local committee existing during the entire year; it is so, is it not?—I believe so.

3330. So you have learnt?—Yes.

3331. With the exception of the formation of that committee in relation to general objects of registration, and so on, did you know of any particular committee?—No, I did not.

3332. When you canvassed, what time in the day did you used to begin?—About 10 o'clock in the morning.

3333. And continued until about what time as a general rule?—Four or five o'clock in the afternoon.

3334. Did you then go back to your own house?—I think on every occasion.

3335. Now did you or not return to Maidstone of an evening except upon the occasion of the ward meetings?—I do not recollect any other occasion when I returned to Maidstone; and I believe there were no other occasions than those upon which ward meetings were held.

3336. You do not recollect any other occasions, and you do not believe there were any?—No; I do not think there were.

3337. If I understand you correctly, the ward meetings occurred four or five times during the progress of the canvass?—I believe that was the number of the ward meetings.

3338. I suppose those ward meetings were meetings at which gentlemen made speeches?—Certainly, that was the object of them.

3339. The object of the ward meetings was to make speeches?—Yes.

3340. I have no doubt that that object was abundantly carried out, was it not?—I believe so.

3341. Mr. *Price.*] According to the respective talents of the speakers?—

3342. Mr. Serjeant *Ballantine.*] In accordance to the respective length of their speeches. It does not always depend upon our talent. With regard to the committee-rooms, are you aware of any rooms being taken as a committee-room for the purpose of that election; I mean before the day of the election?—No I am not; I was not in the habit of going about to houses, and I do not know of any.

3343. I presume that Mr. Wells would be the person to whom you would leave those arrangements?—Certainly.

3344. Then I am to understand you to say that you are perfectly certain that you never called on the man Chambers who has been spoken of in the evening?—I am perfectly positive of that.

Examined by the *Committee.*

3345. May I ask you whether you were not aware that colours and bands by the recent Act of Parliament were illegal?—I know that candidates cannot have bands and colours, but we did not authorise the employment of any bands and colours; both in the borough election and in the county election, in West Kent, these things have always appeared.

3346. Did you not make any remark on the subject on seeing them?—No, I do not recollect that I did.

3347. You have told the Committee, that 280*l.* was your share of the election expenses?—I did.

3348. Is that the only sum that you have paid upon account of this election in any shape or way?—That is the only sum.

3349. And you never expect to be called on in any shape after this petition is over, for any payments?—I do not, and if I was called on for any illegal demand, I certainly should not pay it, nor have I ever paid any money in that way.

3350. When did you appoint Mr. Wells your agent for the election expenses?—He was appointed.

3351. When was he appointed?—He was Mr. Lee and Mr. Buxton's agent before, and he continued in that capacity upon this occasion. The formal appointment was only made when it became legally necessary; he was virtually appointed before.

3352. Are you acquainted with a man of the name of Burgess?—No.

3353. You do not recollect his canvassing with you?—No, really I do not know personally many of these electors; they have always been very civil to me, but I do not individually know much of them.

3354. Who subscribed to the Liberal Registration Society at Maidstone?—Do you mean for the borough?

3355. Yes; I understood that there was a Liberal Registration Society for the Borough of Maidstone?—I never heard of any formal name for it, nor do I know of any subscription list. Mr. Wells has looked after the registration; but since I was member for Maidstone in 1857, I have ceased to have anything to do with the borough, and I really do not know how those matters have been conducted. What I meant to speak of when I spoke of "the committee," or whatever I called it, of these gentlemen whom I have mentioned, I meant that they had generally looked after the registration, and the interests of the party generally, and beyond that I know nothing of the details of the management.

3356. You do not suppose that Mr. Wells conducts the association without being paid for it?—I do not know; these gentlemen are certainly associated together. I do not know of any formal subscriptions to it.

3357. And although you do not know of any money being spent at the election, you have reason to suppose that there was some spent?—I have no reason to know that there was any money spent on our side, and had I known of any being spent, I should certainly have retired from the contest immediately.

3358. One witness has said, that in canvassing, the candidates are generally accompanied with some 20 or 30 people; in fact, everybody knows that candidates are accompanied by a certain number; were you not acquainted with these people who accompanied you, and did you not speak to them of a morning before going round canvassing?—Yes, I knew some more than others; they were constantly varying; some had to attend to their business; some got tired and others joined, but I do not know really who were present with us, nor did I pay so much attention to it, because they were so constantly varying.

3359. You mentioned about the canvassing books, are you aware, with the gentlemen who kept those books, of the promises which were given?—Mr. Wells kept those books.

3360. You did not keep a book of your own?—No.

3361. You do not acknowledge any other person being your agent?—No, certainly not; I had nothing to do with any one else, except these three or four gentlemen whom I have mentioned by Mr. Wells.

Mr. Serjeant *Ballantine* requested the Committee to ask, whether the witness knew of anybody besides Mr. Wells keeping a canvassing book.

The *Witness*: I have said no.

3362. (By Mr. *Price*.) I understood you to say, that when the books were made up, they showed a majority in your favour?—Yes.

Mr. Serjeant *Ballantine* stated, that the Witness did not mean "several books" at all.

The *Witness*: Mr. Wells had different books; there was a book, to the best of my knowledge, for each ward; the books that I saw chiefly, were books taken out for the day.

3363. By the *Committee*.] These canvassers who went out for the day were instructed to go with Mr. Wells, so that Mr. Wells might know what the result of the election would be?—I do not know anything about the arrangements. We always expected some one to meet us in the morning.

Mr. Serjeant *Ballantine* stated that he should call Mr. Wells, and that he should put every individual before the Committee from whom the slightest information could be obtained.

3364. By the *Committee*.] You have stated that you were never in Chambers' forge at all?—I said that I never was in Chambers' forge that night in the way that he has stated. Whether I ever went into Chambers' forge in the daytime or not I really cannot say; there are some forges about the town; this Chambers' forge I do not know, by the name of Chambers' forge; I do not know where it is; there are several other Chamberses who are builders, but not blacksmiths.

3365. You do not know this man?—Certainly not.

3366. He would of course know you?—Yes, probably.

3367. When he swears that you put two sovereigns into his pocket—

Mr. Serjeant *Ballantine* stated that the witness Chambers' evidence was that Lee put the 2*l.* into his pocket.

An *Honourable Member*: I have got upon my note this: "Mr. Whatman pulled 2*l.* out of his pocket."

Mr. Serjeant *Ballantine*: The Honourable Member is quite right; that is the short-hand writer's note.

An *Honourable Member*: The money was actually left by Mr. Lee, but if I recollect what the Witness said rightly, it was that Mr. Whatman first offered it.

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Mr. Serjeant *Ballantine*: That was so.

Mr. *Price*: I understood, in answer to an Honourable Member's question, Mr. Whatman to say that he does not know where Chambers' forge is.

3368. By the *Committee.*] That is so, is it not?—Yes.

3369. When he says that you pulled some money out of your pocket, is that a wilful and deliberate perjury?—It is positively untrue.

3370. I suppose you know most of the principal tradesmen in Maidstone?—I know them all more or less.

3371. These persons whose names have been mentioned as having been upon your canvass, are they some of the principal tradesmen of Maidstone?—Yes; I know a good many of them.

3372. How long have you lived near Maidstone?—All my life; my grandfather lived there before me; I have always endeavoured to be on good terms with my neighbours, and they have always treated me more as a friend, if I may so express myself, than anything else. I have taken considerable interest in their benefit societies, and things of that kind; and in consequence of all that, I suppose, a few years ago these working people, much to my surprise, subscribed together and gave me a very handsome testimonial, a piece of plate.

3373. By Mr. Serjeant *Ballantine.*] The working men did?—Yes, the working men of Maidstone. In the course of this election there was a certain scandalous and libellous attack made upon me in that Tory paper that I have spoken of, and that was very strongly taken up by the working men, who felt themselves insulted by this attack upon me; and the newspaper which is their particular organ in that town, used this expression, which caught my eye at the time; "That the working men," or rather, I should say, that the members of these benefit societies, "would know how to answer this on the polling day," and apparently they did. When the poll was over, I believe they formed a procession in the street, which was the most wonderful and the most astonishing show ever seen, and the largest concourse of people that had ever been seen in the town of Maidstone; it set the whole town in a flame.

3374. By the *Committee.*] Have you constantly lived near Maidstone?—Yes.

3375. And have a proper and legitimate interest in the borough?—Yes.

3376. I think you said that you did not know Burgess?—I do not.

3377. You do not know whether he is a tradesman?—I have heard in this room that he is a paper-maker, but I do not recollect him particularly.

3378. Nor Misson?—Nor Misson.

Mr. *Hill* stated that the Witness had told him that he did not know Misson by sight; he had not asked as to Swinfen, with a desire to save the time of the Committee, but he should desire the Committee to ask the Witness whether he knew John Swinfen by sight.

The *Witness.*] I do not know John Swinfen by sight very well; he is a gun-maker, living in the town.

3379. By Mr. *Hill.*] Did Swinfen do any work for you during the election?—In his profession, no.

3380. No, no, not in his profession; I do not mean that—

3381. Mr. *Price.*] You do not want guns during the election, I hope?—I hope not. It is probable that he assisted me, but I do not recollect.

WILLIAM LEE, Esq. (a Member of the House), having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

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3382. WHERE do you reside?—At Howbury.

3383. Is that in Kent?—Yes, within seven miles of Maidstone.

3384. How long have you resided there?—About 22 or 23 years.

3385. Have you a family?—Yes.

3386. I suppose long before these elections you knew Maidstone very well?—Yes.

3387. And you are now one of the sitting Members?—I am.

3388. When did you first become a candidate for the borough?—In 1852.

3389. Were you then elected?—No, I was not.

3390. Who was then elected?—Mr. Dodd.

3391. Mr. George Dodd?—Yes.

3392. I believe there was a petition?—Yes, there was.

3393. And was Mr. Dodd unseated?—He did not face the petition; he gave up on the morning of the inquiry.

3394. He exhibited a becoming modesty?—Yes.

3395. Upon this last occasion to which I shall now confine myself, you acted with Mr. Whatman?—I did.

3396. And Mr. Wells was your joint agent?—He was.

3397. Have you paid a share of the expenses of that election?—I have.

3398. What did they amount to?—Something under 600 *l.*

3399. Your share, or the whole?—The whole.

3400. Were you acquainted with any bribery being practised?—Not the least.

3401. Did you authorise any measures except those that you believed to be strictly legal to be used by your agents or by any persons on your behalf?—I did not.

3402. Did you give the least countenance, or any countenance whatever, to any such course of proceeding?—I did not.

3403. And do you as a matter of fact know that any such practice was adopted?—I do not.

3404. If any such practice has been adopted it has been, I may take it, entirely without your knowledge?—Quite.

3405. Or concurrence?—Quite so.

3406. You have heard the evidence of a person named Chambers?—I have.

3407. Do you know that person?—I do not.

3408. To your knowledge, did you ever see him until you saw him in the committee-room?—No doubt I might have seen him in the course of the canvass; but in 1,700 constituents it is difficult

difficult to say. I did not know him sufficiently to speak to.

3409. You did not know him sufficiently to speak to?—No.

3410. Did you at any time accompany Mr. Whatman to the forge kept by a man of the name of Chambers?—I might have done so during the election.

3411. Did you upon any night?—No.

3412. Of that you are quite sure?—Yes.

3413. Did Mr. Whatman ever hand over any money, and did you in any way slip it into anybody's waistcoat pocket?—I never received any money of Mr. Whatman to my knowledge; and as respects the occasion of the election I never received any money from him at all.

3414. I must go on with the question, and ask you did you ever slip 2 *l.* into Chambers' waistcoat pocket?—Certainly not.

3415. Or into anybody's waistcoat pocket?—Certainly not.

3416. Did you put anything into Mr. Chambers' waistcoat pocket?—Certainly not.

3417. Or into anybody's waistcoat pocket?—No.

3418. I will just ask you the question put by an Honourable Member to Mr. Whatman, and I will endeavour to use the words he used, as far as I recollect them: If it is said that such a thing occurred, is it a deliberate falsehood?—It is a base falsehood.

3419. I do not know whether you were acquainted with these gentlemen who waited upon Mr. Whatman; there appeared to have been certain gentlemen who were associated together in the town?—Do you mean waited on Mr. Whatman when he came forward on the last occasion?

3420. Yes?—I have never seen them; I have never heard of them.

3421. You know them by name?—I do.

3422. What is their position in reference to the election at Maidstone?—Mr. Arkcoll is a provision merchant in a very large way of business; and Mr. Cutbush, who is the other gentleman, is the editor of the "South Eastern Gazette."

3423. Was there any other gentleman?—I did not hear of any other.

3424. Had you any committee appointed?—No; the whole matter of the election was left in the hands of our agent, Mr. Wells.

3425. The whole of the arrangements were left with Mr. Wells?—Quite so.

3426. Were you in town of an evening as a general rule?—When there were evening meetings, which have been spoken of.

3427. You mean the ward meetings?—Yes, the ward meetings. I used to stop there; I had lodgings there.

3428. You stopped in Maidstone the night?—Yes.

3429. You lived nine miles off?—Yes.

3430. Were you in the habit of canvassing at all in the evening?—No, never; and I never canvassed during the whole of the election alone. I never went to see a voter without having Mr. Wells with me.

3431. I did not hear the evidence given by a person of the name of Doubell; do you know Doubell?—Yes.

3432. Is he a saddler carrying on business in Maidstone?—He is.

3433. Do you employ him?—I do.

3434. When did you commence employing Doubell?—I think he did a little for me some few years ago; but he has done more for me since the death of my own saddler.

3435. Who was your saddler?—A man of the name of Lang.

3436. When did he die?—I think he died in the latter end of the year 1864, or in the beginning of 1865; I am not quite sure.

3437. Up to that time had Doubell done occasional rough jobs for you?—Rough jobs for the works.

3438. Do you carry on large works?—I have a large establishment on the Medway.

3439. And he did what you call rough work?—Yes.

3440. After Mr. Lang died, did you take to employ him altogether?—My coachman asked me whether he should go to Doubell, and I asked him whether he thought he was competent to do the work; he said he thought he was, and I told him to go.

3441. You did that on your coachman's instigation?—Yes.

3442. Have you made any purchases of him besides those that were necessary to yourself, or did you make any purchases in relation to any vote?—No; I never saw the man myself until we canvassed him.

3443. I suppose we may take it that the coachman recommended the tradesman for some reason or other?—I suppose so.

3444. And upon his recommendation you employed him?—I did.

3445. Now about this young man that you have got into the bank?—Yes.

3446. Had you good testimonials with him?—I received a letter from Mr. Whatman in the beginning of the year, I think it was; long before we knew that Mr. Buxton was about to retire.

3447. You did the best you could to get him in a situation?—Yes, to please Mr. Whatman.

3448. And did you do so from a feeling that he was a proper person, or with any corrupt desire?—Not at all. I have got many situations for persons belonging to both parties.

3449. I believe you are one of the directors of the London and County Bank, and in that way have the power of course to do so?—Yes.

3450. I do not know, Mr. Lee, whether there is anything that has passed my recollection, and which you desire to state to the Committee?—I only wish to state about the books, that there was some misunderstanding about them. There is one book for each ward. Mr. Wells keeps those books, and he goes round to the electors, and as a matter of course scores those parties who promise us, and that list is cast up from time to time. I have seen those four books, and they are the only four books that are kept.

3451. Do you concur with Mr. Whatman about the number of promises which were given?—On the night previous to the nomination day I went through the books with Mr. Wells, and we had then a majority of 190.

3452. Was that the night before the polling day?—No, the night before the nomination day.

3453. There were something like 80 or 90 persons who broke their promise to you?—I have got a list of 75 who promised to vote for me, and who voted against me.

3454. Did you get any that you know of who had promised the other side?—I think not. I think that will nearly balance it; 75 and 150.

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3455. You are quite right in that?—I think that is about it.

Cross-examined by Mr. *Hill*.

3456. Arithmetically, to my mind that does not follow; if 75 broke their promises that would give a majority of 150 on the other side?—No.

3457. Or rather, would have put you in a deficiency?—No. Have you ever been at an election?

3458. That would make a difference of 180, would it not?—Yes, 150; then we had 36 more votes, and that brings the number up to about 190.

3459. You put yourself down as in a majority of 190?—Yes.

3460. And there was a deficiency of 76 votes?—Yes, about that.

3461. Were there any that came over to you from the other side?—I do not believe there were; there was really a balance to both sides.

3462. Your connection, Mr. Lee, with Maidstone has been of some duration, has it not?—It has.

3463. You contested the borough first of all in 1852?—Yes.

3464. Unsuccessfully?—Yes. I went in on the morning of that election, and I polled 560 votes without canvassing.

3465. I will give you every credit for your industry; Mr. Dodd was unseated upon the petition?—Yes.

3466. And you contested it?—Yes.

3467. You contested the borough again in 1856 unsuccessfully?—Yes.

3468. In 1859, you contested it again unsuccessfully?—I did.

3469. And then again on the election as to which we are now inquiring?—Yes.

3470. Then you have been well acquainted with the borough of Maidstone, and are well acquainted with the principal electors there?—I am.

3471. All of them, perhaps?—The principal ones.

3472. And also you are well acquainted with the manner in which elections are conducted at that place?—I think the public know that from the *exposé* of Mr. Hope on a former occasion.

3473. You yourself do?—I know how I conduct my own elections.

3474. How long do you suppose you were engaged on this election; how many days do you suppose you were canvassing?—We were canvassing.

3475. I will not have "we;" I ask you, Mr. Lee, how many days were you canvassing upon that election?—I think 15 or 16 days.

3476. Were some of those days in May and some in June?—If it was so, it must have been the latter end of May and the beginning of June; but when we commenced we went through the 16 days without a check.

3477. You were there only at one time; Mr. Whatman has told us of two canvasses?—I think there was only one canvass.

3478. Were you not canvassing Maidstone at all in June?—We had no general canvass after that.

3479. Did you have what we will call a special visitation in June?—No; I occasionally went in, but I might have gone in once a week.

3480. And when you did go in you looked after the matter of the election business?—I always went to Mr. Wells.

3481. I dare say Mr. Wells's house was not the only house you went to?—I principally went to his house because I was very anxious about the election.

3482. You were not so indifferent about the election as Mr. Whatman has put it?—Anything I took to I took up diligently.

3483. That being so, did you also look up the committee-rooms?—What committee-rooms.

3484. We will say the "Bull" committee-room, for instance?—I do not know of any committee-rooms.

3485. The rooms where the people who looked after the interests of yourself and Mr. Whatman met?—I do not know where they met.

3486. Do not you know that there were certain persons interested in your election which met in certain rooms?—I never attended those meetings; if you are speaking of the ward meetings that is another question.

3487. I am not speaking of the public, of the public ward meetings?—I know of no others.

3488. Do you tell me that you did not know of any rooms which were called your committee-rooms at different places in the town of Maidstone?—I never saw a placard out save on the day of the election.

3489. Did you also not take, like Mr. Whatman, sufficient interest in the matter as not to look into the bills that were sent in after the day of the election?—I never looked into them.

3490. You do not know that there are certain accounts sent in for the use of certain rooms?—I never saw them.

3491. They were never shown to you?—No.

3492. And you did not take sufficient interest in it to look into them?—No.

3493. By whom were these bills prepared, and to whom were they sent in?—I presume to our agent, Mr. Wells; I suppose so.

3494. Let us have this quite clear: going into Maidstone all the times you did, do you tell this Committee that you do not know that there were certain people who supported your election sitting in certain rooms in the different wards as committees?—I do not know if you are speaking during the canvass.

3495. I am speaking before the election; I am not to be put off in that sort of way; I am speaking of the middle of June, and I will take from the 15th to the 25th of June; at that time, do you mean to tell this Committee that you did not know that there were different rooms engaged in the town of Maidstone, at which certain supporters of yours were staying under the description of your and Mr. Whatman's committees?—No.

3496. You were several times in the course of those 10 days in Maidstone?—No, I was very much engaged in town. I was occasionally there. I might have gone in once a week.

3497. And that was in June?—Yes.

3498. Were you not canvassing several days during June? Let me call your attention to the dates. Were you not canvassing in Maidstone several days between the 15th and the 27th of June?—To the best of my recollection, I really cannot say.

3499. Have you anything that can guide you as to the time you went down to your house, for example?—I know that when Mr. Whatman came forward, it was understood (I got this from Mr.

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Mr. Wells) by both parties that the canvass of the town should not begin before a certain day, and from that up to the end of the canvass, saving Sundays, we continued to canvass.

3500. Can you tell us whether that was in the middle of May or the beginning of June?—No, I cannot.

3501. Shall I offend you if I ask you whether it was before the Derby or after the Derby. It is a date that is more present to my mind than the date of the Queen's ball or the Queen's drawing room?—I was at the Derby.

3502. Was it before or after?—I really cannot tell you.

3503. You cannot tell me whether it was the time I have mentioned?—I cannot.

3504. Whether it was in the month of May or June you cannot say?—No.

3505. You never went to any room, as I understand you, at which certain persons who were promoting your election were staying, at the "Bull," for example?—Certainly not.

3506. You did not know that any such room was being occupied for any such purpose?—No, I do not.

3507. Where did you say? You said that you occasionally stayed the night at Maidstone. Where did you say?—When first I went to Maidstone I took a private lodging at Mr. Odley, in Week-street.

3508. Was that in the early part of the canvass?—Yes, but the poor man died a few weeks after I had been there, and I was compelled to move to the "Bull."

3509. Then you were staying at the "Bull Inn" during a part of the canvass?—I was.

3510. That being so, will you tell me when that was?—It was the latter part of the canvass. I tell you that I went the first part of the time to the house of this man, and I went afterwards to the "Bull Inn."

3511. Without wearying you and the Committee, I will take this, that you were staying at the "Bull" during the latter part of the canvass, by you and Mr. Whatman, which canvass, as I understand, began on a Monday and lasted continuously 15 or 16 days?—Quite so.

3512. How long were you staying at the "Bull"?—I cannot tell you exactly.

3513. About?—Two or three nights. I must tell you the mode of our canvass. We used to meet at 10 o'clock in the morning.

3514. That is not an answer to the question. What I ask you is the number of nights that you stayed at the "Bull"?—The whole of the time that I stayed at the "Bull" was when these meetings took place. Two or three times I stopped at the private house, and two or three times I stopped at the "Bull."

3515. Then you stopped at the "Bull" something like half a week?—Yes.

3516. And that without going out of Maidstone at all?—Just so.

3517. During those meetings you say that there were ward meetings?—Yes.

3518. And the ward meetings, we are told, were over between 10 and 11 o'clock at night. They began at eight o'clock, and lasted two or three hours, we have been told?—They were over generally about half-past ten.

3519. Do you recollect walking out with Mr. Whatman after any of those meetings?—When we left the room we bid one another good night and parted. Sometimes we walked up the street and bid him good-bye, and then I turned in to the "Bull" and he walked home.

3520. Where were those ward meetings held?—One was held at the "Sun" for the High-street Ward.

3521. When was that meeting at the "Sun." Do you recollect the date of that meeting?—No, I cannot recollect the dates.

3522. You were at the meetings at the "Sun"? and after that you walked with Mr. Whatman?—Yes.

2523. Where was the next?—There was another meeting at the "Bower" for the West Borough Ward.

2524. After that meeting you walked out with Mr. Whatman?—It is very likely we walked out together.

3525. Where was the next?—At the "Compasses."

3526. Did something occur there?—There I recollect walking down as far as my own lodgings; I then bid him good-bye, and he then went away.

3527. Your lodging was on the other side of the way?—Yes.

3528. Having stood so often for Maidstone, with various successes, no doubt you are acquainted with most of the persons who are voters in Maidstone?—No, I am not, for during the last seven years there has been a great change.

3529. There always is in seven years. I will mention a few names to you: Mr. Arkcoll; do you know him?—Yes.

3530. He is one of the principal persons?—Yes.

3531. You know him?—Yes.

3532. Mr. Edmett?—Yes.

3533. A person who interested himself very much in your election?—Yes.

3534. Was he a person who attended at the "Bull?"—No, I do not think he did.

3535. Were did Edmett attend much?—In going round with us. He lives a little way out of the town, and I do not recollect seeing him much.

3536. Stanger. Do you know Stanger?—Yes.

3537. Did Stanger go to the "Bull?"—Yes.

3538. He also went round with you?—Yes.

3539. Thomas Chambers?—There are so many Chambers that I do not know the names of them; I think I have seen Chambers round with us.

3540. Stanger you know well?—O yes.

3541. He has been connected with you for some time?—Yes; ever since I stood for Maidstone.

3542. In fact, he is considerably in your confidence?—Yes.

3543. A man of the name of Webb?—I do not recollect him.

3544. Old William Day?—Yes, I know him.

3545. He was a busy man in the time of the election?—He went round with us.

3546. Used he to be at the "Bull?"—I could not swear that I ever saw him at either of those meetings.

3547. William Day, junior?—I do not recollect his ever going out with us. I know him very well.

3548. Just before leaving old Mr. Day, you knew that Void house at which there was—what shall we call it; I do not like to use the word committee; but at which there was a meeting of your supporters on the day of the election; was that the central committee-room?—Yes.

3549. The central committee was held there?—Yes.

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3550. Did you meet old Day there on the day of the election?—I do not recollect; it is impossible to say; there are so many people in and out. I am not prepared to say whether I saw Mr. Day there on that day.

3551. Old Day went about with you?—He occasionally went about with us.

3552. Canvassing?—Yes.

3553. Let me remind you of this, as to old Mr. Day, on one occasion, I think, all of you—Mr. Whatman and all of you—went into his house to have a little refreshment one day during the canvass, in the Ashford room; do you recollect that?—No.

3554. You do not recollect that?—No. When we went round these wards a gentleman wanted some lunch; I think it was Mr. Cutbush.

3555. I will remind you of the circumstances; was it not to old Mr. Day that you went, where the claret was said to be very good?—It might be; but I do not recollect.

3556. Something better than Mr. "Gladstone's claret?"—It might be.

3557. Mr. Railton; was he busy about the election?—I do not know that he was very busy about the election; I have seen him more busy.

3558. Young Railton; has he taken his father's place?—No; I do not know that he has.

3559. He was out canvassing, was he not?—He might have been; I could not swear that he was.

3560. Swinfen?—I think you know him pretty well?—Yes.

3561. He was out canvassing?—Yes.

3562. Is he what you call a good active man?—There are a good many active men.

3563. And Swinfen is not one of the least active?—I don't know.

3564. One of the most?—I don't know.

3565. You presented a petition, I believe, against the return for Maidstone?—I did.

3566. Was not Swinfen one of the persons who principally engaged himself in getting up that petition?—Yes; a petition against the return was made, and it was got up.

3567. Were not Swinfen and Crittenden the two persons who were principally engaged in the getting up of that petition?—They were; I don't know what solicitor I employed. I think it was Mr. Wilson of London.

3568. Were not those the two principal persons engaged in the getting up of the evidence in support of that petition?—With other persons.

3569. Swinfen has been very busy in these matters, has he not?—Yes.

3570. That was the petition of 1857?—Yes.

3571. Cutbush I think you have mentioned as being one of the persons?—Yes.

3572. James Chambers?—I really don't know the Chambers one from the other.

3573. A man of the name of Misson, was he canvassing about a good deal?—He works for me; he was out canvassing.

3574. He was a good deal at the Committee-room?—I don't know. He may have been.

3575. Did you see him at the Committee-room at the "Bull"?—He may have been, but I don't recollect.

3576. James Burgess?—They tell me that he is the man who had to do with the band, but I don't know him beyond that. I should not know him if I were to see him.

3577. Are there not certain persons in Maidstone with whom you have trade dealings? Is there not a man of the name of Burgess with whom you have had considerable trade dealings?—What trade is he?

3578. Buys casks I am told?—I don't know.

3579. I beg your pardon, I have made a mistake; I ought to have said sells casks?—I don't know what he is.

3580. Don't you know James Burgess?—No.

3581. Have you never seen him?—No; and I should not know him if he were in this room.

3582. He buys your casks?—I may sell casks through my superintendent, but I have never seen the man on business.

3583. You do not know James Burgess by sight?—I should not know him by sight.

3584. Is he a man called Bony Burgess. The other witnesses know him by that name?—I don't know him by that name.

3585. I did not expect you would know him by his soubriquet, but I was asked to put that?—No, I don't know him by that name.

3586. You don't know him?—No.

3587. I suppose he might know you by sight, and I suppose we shall hear whether he does know you. More people know you than you know?—That is it.

3588. What is the latest do you suppose that you were ever out canvassing during this election?—Canvassing?

3589. Yes. Seeing a voter. You must know what canvassing is after four elections?—Well, upon those 15 or 16 days which I tell you of, I don't think I ever was out canvassing after the close of the canvassing day.

3590. You will not say that you never spoke to a voter after a ward meeting?—Certainly not.

3591. You will not swear that you did not ask a voter which way he was going to vote?—Certainly not. Those ward meetings were expressly for the purpose. After the meeting was over, the people came up to the table and put their names down.

3592. And then when the meeting was over you did ask them?—No doubt I might.

3593. If you had been asked to see a person on your way home, you would have done so, probably?—I don't think I ever did.

3594. If you had been asked to see a voter, should you have seen him—should you have gone and had a little friendly talk?—With Mr. Wells.

3595. Without Mr. Wells?—I was very nearly caught once, and I have taken good care for the future.

3596. You always take care to have a witness now?—Invariably.

Re-examined by Mr. *Henry James*.

3597. In the course of your experience you did find that the truth was not always told at Maidstone by the people who were called against you?—Yes.

3598. To guard against that you always had Mr. Wells with you?—Yes.

2599. By Mr. *Hill*.] There is one question which I have forgotten. You did not know anything about these colours being employed, and the band being employed?—No. It is customary in Kent.

3600. You did not know anything about it?—No.

3601. You supposed, perhaps, that they were not paid for?—I supposed that they were paid for by subscription amongst the party.

3602. They

3602. They would not form part of the election expenses?—Certainly not.

3603. Nothing would be put into the election accounts but what was correct and proper?—No.

3604. Mr. *Henry James.*] I believe a person of the name of Barty made a personal declaration against you upon the petition?—He did.

3605. That prevented your getting costs?—Yes.

3606. And that made you cautious upon these occasions?—Yes.

3607. Now a word about this man Burgess. Did you either assist him in any way as you are stated to have done, or give him anything for his vote?—Certainly not.

3608. By the *Committee.*] Did Burgess canvass with you?—I do not know him. There were parties carrying about the papers as we left the different houses. He may have been one of those men, but I should not know Burgess if I should see him.

Mr. *Henry James* requested permission to ask some questions upon matter which had not been cross-examined to by the other side; and stated that it was with a view to contradict the statements made by Mr. Chambers, who spoke of the interview of Mr. Lee at the forge.

The *Chairman* stated the Committee would allow the questions to be put.

3609. Mr. *Henry James.*] I see that Henry Chambers said in his evidence, he said he knew the "Sun" in High-street. A few evenings before the election he was at the bar of the "Sun" in the evening at about 10 o'clock, when there was a meeting of the Liberal party, and that he saw you there, and that you were introduced to him; that they were seen leaving the meeting, and they came past the bar; and that they introduced you to him, and that you spoke to him about his vote; that you asked him to vote for you, and he told you that he could not vote for you. Then he says that he should not vote at all, and that then you wanted to get old of his arm, and that you wanted to call him on one side, but that he would not go out with you. Is there any truth in that statement?—I may have been coming down stairs in a multitude of persons; perhaps there were 70 or 80 persons in the room. People might have pointed him out as a voter, and I might have asked him whether he was a voter.

3610. Did you ever take him on one side?—No.

3611. Mr. *Hill.*] You say that you may have spoken to him?—I may have spoken to him if he was a voter.

3612. Mr. Serjeant *Ballantine.*] Now this is a material part. He says a few evenings after this he saw you down High-street about a week or a little more after the evening of the "Sun" meeting; that you were going away by the train; that you came and put your hand on his shoulder, and said, "Old boy, you were very stupid the other night;" and that he told you he was in the same mind then; that you wanted him to promise you his vote, and that you told him that if 20*l.* or 30*l.* were of any use to him he could have it; that he said nothing would induce him to vote for you at all. Now I must ask you upon your oath is that true?—I say upon my oath that that is false.

3613. Did you say one word to him of 20*l.* or 30*l.*?—I should not have stopped a man in the street.

3614. You swear that positively?—Yes.

3615. This, he says, also took place; he says "he could give me some work, and I said, you have got smith's shops of your own; he said, I could do you a good deal of good; and he said, look what good I have done others in the town, I have given them a good deal of work; and he said, you have got smith's shops of your own now;" did anything of that kind take place?—Certainly not.

3616. By the *Committee.*] In point of fact, that man Chambers, in stating that Mr. Whatman offered him 2*l.*, was stating that which was untrue; he said that he would not take it, that you put it into his pocket, that you, Mr. Lee, put it into his pocket, and said, you will find it of use in your family. In stating this, he was guilty of deliberate perjury?—Precisely.

Mr. *Hill*: He stated that that was said on another occasion.

Further cross-examined by Mr. *Hill.*

3617. You say that you were living out of Maidstone, and that your house is about seven miles out of Maidstone?—Yes.

3618. And that you stopped for a week during the first part of the canvass in Maidstone?—I might have stopped six nights, not a week through.

3619. What night or evening did you ever go out of Maidstone?—When there was no ward meeting.

3620. Upon those evenings, what train should you go out of Maidstone by?—I should try to get home to dinner if I could.

3621. What train would you go out of Maidstone by?—About six o'clock.

3622. Was there a train about six o'clock that you went by?—There was a train, I think, at five.

3623. I do not care what trains there were, but what was the train that you went by?—I generally went as early as I could, so as to get home.

3624. What train did you go by?—I have already said, that when I went home, I always went home as early as I could.

3625. Will you answer the question, what train did you go out by?—There is a seven o'clock train, and a five o'clock train, and if I could not go by the five o'clock train, I went by the seven o'clock train.

3626. What train did you go out by?—By the five or the seven o'clock train.

3627. Which of those did you go out by?—If I was in time for the five o'clock, I went by that, and not by the seven o'clock train.

3628. And upon those days, some of the party accompanied you down to the station, your agent, or some one?—Yes.

3629. And sometimes you went by yourself?—Yes.

3630. I suppose you did not always want a witness to see you go by the train?—I very often rode down.

3631. And on several occasions, did the people come up and speak to you about the election whenever they saw you?—Do you mean strangers?

3632. No, strangers would not take any in-

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terest in it?—Voters that I did not know may have done so.

3633. On several occasions, was it not repeatedly the case, that people came up and spoke to you about the election, and the matters of the election?—If I had been in the station, they might have asked me "how are you getting on Mr. Lee?"

3634. At the station, and down to the station?—At the station.

3635. I suppose I may take it, that you would not have been very much offended if they had spoken to you on your way down to the station?—No.

3636. Supposing you had been engaged upon a canvass, and a voter had met you on your way down to the station, and had any conversation with you, you would not have thought it was impudent?—No; I do not know that I should.

3637. You cannot tell me what was said upon your way to the station?—No.

3638. A great many things may have been said, and more been forgotten?—Yes.

Further examined by Mr. *Henry James*.

3639. You can tell us: have you ever promised 20 *l.* or 30 *l.* to a man for his vote?—No, I never did.

3640. You would recollect that?—I should recollect that.

Examined by the *Committee*.

3641. You told the Committee just now that the joint expenses of the election were about 600 *l.* Have you paid your share of that amount?—Yes.

3642. Are you to pay anything else?—No.

3543. Have you paid anything more?—No.

3644. Will you pay anything more if you are asked?—No.

3645. You have stood before for Maidstone, and therefore I will ask you this: are you aware what were the expenses on previous occasions at Maidstone?—I think the expenses were something under 600 *l.* on former occasions. I do not exactly recollect, but I think they were about that amount.

3646. Is Maidstone your country town?—It is the nearest town to where I reside.

3647. You employ a great many tradesmen in the town?—A great many.

3648. I think we have it that Lang, the harness maker, died in the month of November 1864?—Or early in 1865.

3649. March to November 1865 is the date on the bill, I think?—It begins in March 1864, I think.

Mr. *Hill* stated, that with the exception of a few shillings, which he mentioned yesterday, appearing on the account in 1864, the whole amount was earned between the months of March and November 1865.

3650. By the *Committee*.] He was employed by you entirely?—Who?

3651. Doubell?—He had the whole of my work after Lang died.

3652. After Lang's death did you employ any one else except Doubell?—No.

3653. And if Lang died at Christmas you had no dealing with any harness maker in Maidstone between that date and the month of June, in the next year?—No, excepting Doubell.

Mr. *Henry James* stated that the date was March.

The *Witness*.] At the death of Lang I went to Doubell.

3654. By the *Committee*.] In the month of June, I see, there is 30 *l.* put down as the amount of an order for goods for Doubell?—I think that was for a suit of horse-clothing for four horses.

3655. Nothing extraordinary, as a matter of cost?—No.

3656. In your opinion, was this election conducted on principles of rigid and simple purity by your party?—I do think so.

3657. If any subsequent applications are made upon you, would you consider yourself bound to pay them?—Certainly not.

3658. How far are your works from Maidstone?—About five miles.

3659. And Maidstone is the nearest place where you can get these things done?—I employ some people at Rochester.

3660. What is the distance to that place?—That is about the same distance.

3661. How many people do you employ?—About 600.

3662. Were you acquainted with the organisation of the committee rooms?—I was not.

3663. You trusted everything to Mr. Wells?—I did.

3664. Are you satisfied with Doubell's bill that it was not an overcharge?—I believe it was a fair bill. I had my brother stopping with me at the time, and I put the bill before him and asked his opinion, and he said he did not think it was out of the way.

Thomas Wells is called in; and, having been sworn, is Examined by Mr. *Henry James*, as follows:

T. Wells.

3665. Are you a tradesman residing in the Borough of Maidstone?—I am.

3666. What are you by business in the Borough of Maidstone?—A tailor.

3667. And I believe you have been an elector of that borough now for nearly 17 years?—I have.

3668. And have you been during that time a Liberal, and taken an active part in politics in the borough?—I have.

3669. In the year 1856 did you become the secretary of the Reform Association at Maidstone?—I did.

3670. And since that time have you had the management of the Registration Court matters in the Liberal interest?—I have.

3671. And also in the elections of 1857 and 1859 were you actively engaged?—I was.

3672. In the year 1865 you were the sole agent, I believe, for the now sitting Members, Mr. Lee and Mr. Whatman?—I was.

3673. The Committee will allow me to take very shortly the facts. Questions have been asked upon these points already. In 1859 Mr. Lee, the present Member, and Mr. Buxton were returned as Members for Maidstone?—They were.

3674. From that time down to 1865 has your registration been good for the Liberal party?—It has.

3675. And I believe you found yourselves stronger

stronger in 1865 than you had known yourselves previously to have been?—Yes.

3676. I want you to explain what the constitution of this Reform Association is; what part had it to take in the election?—There is a Maidstone Reform Association in the town constituting every person in the town who shows by his votes or his active exertions to be in favour of Liberal principles. They are members of the association without being proposed or seconded. Once in every year handbills are circulated about the town stating that a general committee will be elected, and every man has a right to vote for every one of the 50 members upon that committee.

3677. Although it is called a Reform Association, as to the general body, there is nothing to bind them; it is an open constituency as it were?—It is so.

3678. The 50 members of the committee are elected by everybody who chooses to vote?—That is so. Perhaps I ought to state that that committee is not elected for the conduct of Parliamentary elections, but it is elected for local purposes. That is municipal elections and such purposes as that.

3679. I believe that the night before the election you made up your list, and the probable result?—I did.

3680. And I believe you submitted that to Messrs. Lee and Whatman, and that you have got the original paper which you submitted to them?—I submitted it to them as a proof of what I believed to be a certainty.

3681. The result which those gentleman have given to the Committee, was that correct?—It was.

3682. During the election of Mr. Wells, I believe you had the sole management of the election for Messrs. Lee and Whatman?—I had.

3683. Was it your duty alone, and did you pay the expenses of that election?—I did.

3684. You have the election expenses, I believe, and you have returned them to the proper officer?—I have. The exact total, I believe, is 565 *l.*; that was the amount of money paid to me by the two Members. I think there was about 558 *l.* I think there is a balance of about 6 *l.* in the bank. I opened an account specially in the London and County Bank.

3685. I believe you had received 280 *l.* from each of those gentlemen?—I had.

3686. I see you were right in the amount; it is 565 *l.* To take these generally; first, did you in any way authorise or sanction any other expenditure on the part of the sitting Members, except that which is shown by these two accounts?—I did not.

3687. Taking your general denial first, Mr. Wells, without any reservation, directly or indirectly, had you any knowledge of any money being spent in bribery or for any corrupt purposes whatever?—Certainly not.

3688. That you swear positively?—Yes.

3689. Did you promise to pay a man any money if he would vote for your party?—Never.

3690. Do you believe, in your own mind, that that was a pure election?—I most positively believe it was.

3691. I believe you had express instructions from the sitting Members to conduct it so?—I did.

3692. Did you, to the best of your ability, fulfil those instructions?—I did.

3693. Now, I want, first, Mr. Wells, for you to explain to the Committee, if you please, what course was pursued in relation to canvassing at these elections?—The invariable course at Maidstone with the Liberal party, and likewise with the Tory party, is, for the Members to be accompanied by a large number of their supporters, who are not invited to attend, but anybody joins who think proper. The number who join the canvassing party is sometimes 30 or 40; I have known it as much as 50. Afterwards, as we have got towards the end of the canvass, it might fall off and settle down to 30 or 20.

3694. How do these people meet on these occasions?—Perhaps it is better to speak of this occasion in particular; on this occasion they met and started from my house.

3695. Your committee invited them?—No; it was arranged by both parties; I arranged it with the agent on the other side, in order that we should not throw the town into a turmoil by a canvass before it was necessary. I sent to the agent that I should begin to canvass on the first Monday in June. Mr. Whatman and Mr. Lee would probably not remember the dates.

3696. Beyond the circumstances of those persons coming to your house, and so canvassing, were they in any way connected with the sitting Member as agents?—No; some gentlemen will be called whom I never saw connected with the party.

3697. Any person of respectability you were glad to get?—Very.

3698. Had they any instructious from you to take any steps on the part of the sitting Member?—None whatever.

3699. I believe you were always with the sitting Members; at least, to the best of your knowledge, when they canvassed?—I made a point of being so.

3700. You kept the canvassing books?—There was no one else had a canvassing book. I ought to explain, as there seems to be some misunderstanding about these books, that there are four wards, and those books are not divided into wards, but divided into the streets in which the people live. I had a messenger round with me at the time. I had Misson; had him and one or two others. He carried the bag at my back, and was always at my beck and call when I wanted a book, and no one kept a record of the promises but myself.

3701. Now, as to the committee-rooms, were those committee-rooms open to all the electors?—Do you mean on the day of the polling?

3702. Yes?—On the day of the polling there were four ward committee-rooms, and one central committee-room.

3703. Before the polling?—On the day of the polling.

3704. Before the polling?—Before the polling there were no committee-rooms engaged, except the one at the Bull; and I wish to explain how that was used as a committee-room.

3705. Mr. *Price.*] I understand that you were not there?—Only in the canvassing.

Mr. *Price* stated that it was all very well to bring up one man to swear to everything, but he must ask the witness to speak to that only within his own knowledge.

Witness.] I was at all the committee-rooms; it was my business on the day of the election to be there.

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3706. Mr. Serjeant *Ballantine.*] Go on, if you please?—Do you wish the information as to the committee-rooms on the day of the election.

3707. Mr. *Price.*] No, just before?—Previously to the election there was a committee-room at the Bull; that was not opened during the day. There was no notice outside that it was the committee-room of Messrs. Lee and Whatman, and at eight o'clock some 40 or 50 individuals would probably be there; and the names of the parties who had not been seen during the day, but who had been out, would be read over; and that committee-room was opened to everybody; they had their grog and had their pipes in the room, and no one was kept out of it at all.

3708. On the day of the polling was the central committee-room and the other committee-rooms open to the whole of the electors?—Entirely so, except at one place. There was a committee for the High-street, at the Haunch; for the Stone-street Ward, at the Globe; for the King-street Ward, at the Bull; and another at the West Borough Railway Hotel. There was only one room in each place, and they were entirely open to the whole of the electors; and when the people required to know the result of the polling, they went in and out as they pleased.

3709. Was there any check kept on the persons coming in?—None whatever.

3710. Had you any private room?—None at all.

3711. Had you more than this one committee-room?—Only one; it was open to the clerks who checked the slips as they came in; there were generally 20 or 30 persons in the committee-room.

3712. By the *Committee.*] This was in the committee-room?—Yes.

3713. The first case I take is that of William Newport; you recollect that young man who was called; what was his engagement?—He was engaged during the canvass as a messenger, for which I paid him 5*s.* a-day; he was engaged as messenger for distributing the bills, or delivering circulars, or issuing addresses.

3714. He was paid the usual sum?—Yes, 5*s.* a-day; and that amount is returned to the returning officer.

3715. Did you ever in any way employ him as canvasser?—Never.

3716. To your knowledge, did he ever canvass?—No, he never did.

3717. Did he ever bring you back any reports of any persons he canvassed?—He is only a young man, and not a person that I should have engaged.

3718. Beyond his being this paid messenger at so much a-day, had he any other authority given to him by you?—None whatever.

3719. He states, I see, that you asked him whom he could best recommend to get Wills out of the way; and he says, that he recommended a person of the name of Robert Ford; is that true or not?—It is true that I saw him, and he asked me about a man named Wills, who it appears now is one of the witnesses in favour of the Petition. I said nothing to him about getting him out of the way, because I had no reason for doing so. I do not know that there was any object for it; and, as to my mentioning Mr. Ford's name, that is an entire fabrication.

3720. What did pass between you and Newport about Wills?—He mentioned this man Wills; he said he was going up on the Petition. I said, "I don't care whether he does or not."

3721. Was anything at all said about your getting him out of the way?—Nothing whatever.

3722. You know William Misson?—Yes.

3723. What is he by trade?—He formerly kept a beer-shop, and he now sells fish.

3724. What employment, if any, had he from you?—As a messenger, and part of the time likewise as what I would call an outlooker.

3725. What was he paid?—Five shillings a-day.

3726. Never any more?—Never any more.

3727. They appear in the election expenses?—Yes, all appear.

3728. Had he any authority to act as agent, and did you ever know him act as agent, or in anyway, except as a messenger or outlooker?—I do not think he has any idea of it himself.

3729. As far as you know, did he receive any authority so to act?—None.

3730. Let me ask you the names; Samuel Day, Edward Bentley, James Chambers, James Burgess, Charles Askew, Edward Agate, and Alfred Chambers; did you ever know them engaged as canvassers?—Read them singly, because I might miss one.

3731. Samuel Day?—He never was of the canvassing party.

3732. Was he on the committee of the association?—He is not, and never has been; Mr. Day is a man of this kind; perhaps at the time of an election he would be running on that day first to one place, and then another; but during the canvass he would take no part.

3733. Did you ever have any communication with him at the election, or give him authority to do anything on behalf of the sitting Members?—No authority.

3734. Did you ever do anything to constitute him an agent in any way?—No way.

3735. Does the same answer apply to Edward Bentley?—He is a working man; I never saw him connected with the party, or convassing, or in a committee-room, or taking any part whatever.

3736. Edward Mason?—He is not on the committee of the Association, and never attends any meeting whatever.

3737. James Chambers?—He is a man who was never on a committee; he is a town carter, a young man who drives a horse, and, during the whole of the day of the election, was driving a fly.

3738. Do you know that?—Yes, because I engaged him, and saw him; I rode in the fly once or twice.

3739. Had he any authority from you?—No; I have never spoken to him until I heard that he was accused of being on the committee, and I saw him last night, and I believe he will be called as a witness.

3740. Except as driving you; that is the only communication you had with him?—I happened to get in his fly once.

3741. James Burgess?—He is a paper-maker; a hard-working man; he is not on the committee of the Reform Association, and his own labour would not allow him to join a canvassing party; being employed as a working man in a paper manufactory, he would not get away to join a canvassing party.

3742. By the *Committee.*] Did he not canvass at all?—Never.

3743. Mr.

3743. Mr. *James.*] Did you never see him with any canvassing party?—He never was.

3744. Do you know anything about Chambers having paid the colour-men?—No.

3745. Were there any colour-men at all paid in your election expenses?—No; and knowing it was an illegal thing, as an agent, I thought I was not justified in doing so.

3746. I believe you had in your supporters a good deal of enthusiasm; but, as far as you were concerned, did you provide any colours?—None whatever.

3747. You have heard from Mr. Lee that he is not going to pay any?—Yes.

3748. Did Charles Askew ever join the canvassing party?—He is a beershop-keeper, and not a man I should like to see canvassing.

3749. Edward Agate and Alfred Chambers; did either of those two persons?—None of them that I have mentioned.

3750. Never received any authority from you in any way?—In no way whatever.

3751. My friend has asked you about old William Day?—He has retired from business; and he, at the time of canvassing, had time; and I think it is likely he may, with a number of other gentlemen.

3752. Did he ever canvass with you?—I think it is likely he joined the canvassing party; but he is not on the committee. I should think so from the time he has got upon his hands.

3753. You know Henry Chambers who was called first yesterday?—Yes.

3754. He first swore that on the morning of the election he saw you in High-street about 10 o'clock; will you say whether you did see him on the morning of the election or not?—I never saw him.

3755. He has stated that you asked him if he was about to vote for your party, and that you said, "Will you take the offer that has been made to you"? He said, "No"; and that you wanted him to come back to his place and give him 10*l.*, and that he was to have the remainder afterwards; now, on your oath, is that true?—No.

3756. Had Mr. Lee, or Mr. Whatman, or anybody ever communicated to you that an offer had been made to the man?—No, none whatever.

3757. Did you ever wish to give to him or any living person 10*l.* on that election?—None.

3758. You say on your oath that that is totally untrue?—Entirely false, the whole of the statement.

3759. The next case is Robert Shirley; you recollect that witness who was called yesterday?—Yes.

3760. Did he ever come to you shortly before the election, at an interview in which you said to him, "Is your name Robert Shirley"? he said "Yes." I see he says. "He asked me if my name was Shirley," I said "Yes"; and Mr. Wells said, "I understand you are a voter and so-like," and I said "Yes". He asked me which way I was going to vote, and I told him I did not rightly know; but I thought I was going for Lee and Whatman, and then it was brought up about a situation.

3760*. What did you say about a situation, do you remember. Did Wells look at any book?—Yes, he did; he opened a book and said, "I see you are a voter." What book was it? A voting book; it was a large book to see whether my name was on the register, as I understood him as such; and he said, I see your name is on the book entitled to a vote, and he said, "If I had known you were going to vote our way before, you might as well have had the beef at Christmas; but I will take care that you have it next year." What did he say about work? He said he would write me a letter to Mr. Letchford, and so on. Is there one word of truth in that interview?—Yes, there is.

3761. How much?—That he called upon me, but he was accompanied by Mr. Large; and, previously to his calling, Mr. Large, who knew Shirley, and I believe did not even know that he was a voter, asked me if I could get work for Robert Shirley, for he was partially employed as a cooper at Simmonds and Hunt's, and he wished to have his time filled up. I said, "Well, I do not know that I can, but I won't be certain." Mr. Large said, "Mr. Lee employs that class of men, could he have work down there"? I said, "Well, I don't know, I have no objection to speak to Mr. Letchford"; and, in the course of a day or two afterwards, Mr. Large called with Shirley, and no conversation whatever arose as to Shirley's vote, and it is perfectly untrue that I referred to any book whatever. Mr. Large was there the whole of the time, and I did not even know Shirley; I did it purely to oblige Mr. Large.

3762. And that is the whole that took place?—Yes.

3763. *Chairman.*] The Christmas beef was not referred to?—No, it was not.

3764. Mr. *James.*] There is a man of the name of William Gandy, who has been called this morning; I have not heard his evidence; be good enough, in your own way, to tell the Committee, as you heard the evidence, whether it is true or not, and if true, to what extent?—I remember the circumstances. When we were out canvassing, some three or four days after we commenced, we called on Mr. Gandy at his bakehouse; he was in the bakehouse, and seven or eight of the canvassing party went down to see him. He did not promise very readily; I do not think he even promised at all; but he gave us to understand that he should vote as he always had done. He began to speak about a situation, as he stated in his evidence to-day, and Mr. Lee, as well as myself, immediately stopped him, and said, "Now, we cannot any anything about that at the present time." What makes me remember this is from an interview I afterwards had with Gandy; and I was surprised he did promise at once, because he had always been looked upon as a Liberal, and the whole of his family. When this conversation took place, Mr. Strange was there, Mr. Lee, Mr. Whatman, and myself, and I believe one or two others of the canvassing party.

Cross-examined by Mr. *Price.*

3765. What were you going to say?—I remember this case of Gandy's, because he called on me the night before the election, at 11 o'clock, and he said, "Mr. Wells, I intend to vote for your party, but I am promised on the other side 6*l.*, and another 8*l.*, but I will vote for your party." I found on the morning of the election that he had voted against us.

3766. He was bribed by the other side?—I have no doubt of it.

3767. What are you?—A tailor.

3768. What office do you fill with regard to this Reform Association?—The secretary.

 3769. Who

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3769. Who is the chairman?—Mr. Ellis, sen.

3770. How many members are there of it altogether?—Every man in the town who is a Liberal is a member of the Association.

3771. You have a committee?—Yes, of 50.

3772. Subscriptions to what amount?—Subscription is not necessary for membership.

3773. What do they amount to in the course of the year?—I cannot tell you to a pound or two.

3774. Within a few pounds?—I should say they amount to about 80 *l.* a-year.

3775. With that, do you manage all the municipal elections?—No; sometimes in a municipal election, in a particular ward, they pay their own expenses.

3776. Are the expenses of the committee during the election paid out of that; I mean a borough election?—No.

3777. Where do they come from?—From the expenses returned.

3778. Did you prepare the vouchers?—I did.

3779. Do you mean to say you had committee-rooms only on the day of the election?—Except you call that a committee-room at the Bull.

3780. Did you pass a voucher for "11 days' use of rooms for committee" at the Bull?—They were paid 10 *s.* 6 *d.* a-day at the Bull.

3781. Do I understand you, that you only had committee-rooms on the day of the election?—Unless you call them committee-rooms at the Bull.

3782. There is an item, I have read to you, which calls it a committee-room?—That was during the canvass; a large room at the Bull.

3783. Is that what you call the central committee?—No; during the day of the election that was the committee-room for King-street Ward.

3784. Why have 11 days' use of committee-room at the Bull, then?—I will explain. When the canvassing party had gone round, say, for one day, a considerable number of voters would be out, and we could not take the candidates over the same ground again. It was necessary that they should be seen; I had, therefore, a clerk to make out, from the canvassing book, a list of the names of those who were out; those names were taken to this room at night, where there would be, probably, 60 or 70 individuals.

3785. Was that for the ward in which the Bull is situate, or for all the wards?—All the wards.

3786. Had you no ward committee-room at all up to the day of the election?—None whatever; never do.

3787. That you swear?—I swear.

3788. How does it happen, then, that there is an item in your bills, on the 25th of April, for printing three memorandum books each, 11; alterations ditto, 12, for ward committee-room?—That would be in the town. That would be this: that for the purpose of calling this committee at the Bull, it would be necessary to have circulars printed, and Mr. Nicholson would print those circulars.

3789. Here is a memorandum book for a ward committee-room; how could you want memorandum books on the 25th of April, for a ward committee-room, if you had no committee-rooms till the day of the election?—It would be this: that Mr. Nicholson prepared the canvassing books, and I have no doubt that these memorandum books were rough copies of the canvassing books made out first.

3790. Made out for each ward committee?—Oh, no; you will find that the whole of this is a preparation for the general canvass. I am unable to say just what those are.

3791. You cannot give an explanation of that?—Yes, I can tell you what it does not apply to.

3792. I want to know what it does apply to?—I have no doubt it refers to the preparation being made for the general canvass.

3793. That is your explanation?—Yes.

3794. It does not say for a ward committee-room at the Bull; but you say that is what was intended?—I think it is likely; I am unable to say just what it is.

3795. Had you any ward committee-rooms?—None, only on the day of the election.

3796. Was the Bull a ward committee-room?—No.

3797. What is the meaning of the words, "Ward committee-room," if you had none; had you a ward committee-room?—Not for one ward.

3798. What is the meaning of the expression?—That is the place where these names would be given out.

3799. What is that place?—The Bull.

3800. It does not say so; was the Bull a ward committee-room?—He would not necessarily put that in as a ward committee.

3801. Why should he not put down "committee-room, Bull"?—Very likely the printer might make a mistake. There was no ward committee-room.

3802. Then the election, as I understand it, was conducted without ward committee-rooms, and without committees?—I do not say without committees.

3803. Had you committees?—No; if you wish to understand me, I want to make you.

3804. Had you committees?—No, not committees. I mean this, that the committee of 50 elected from their own body for the exclusive management of the Liberal party, a committee of 12, who form the executive or central committee. At the time of an election it is usual to appoint two or three from that central committee to take the entire management of the Parliamentary election.

3805. By the *Committee.*] Who were the two or three?—I think Mr. Arkell, Mr. Cutbush; I do not know whether Mr. Stanger and myself. I am not sure whether there were three with myself or not.

3806. Mr. *Price.*] Is that the whole committee for the purpose of the borough election, that you know of?—There was no other management but in their hands; the other committee I should consider of such a loose character that I could hardly call them committee-men.

3807. I hope not "loose"?—There are so many who come to help at the time of the election that you cannot keep them out of the election.

3808. Was there or not, to your knowledge, as secretary, anything called a central committee?—Yes, there was a central committee.

3809. For the purpose of the election?—Yes.

3810. Who composed that committee?—These three.

3811. Where did they meet?—At the central committee-room.

3812. Where is that?—At the empty house on the day of the election.

3813. Where did they transact the business on the other days?—Those three are appointed as a committee, and their object is this: they are to have

have the management or the keeping of the state of the canvass, which is generally held to be confidential; and they would be called together for that purpose. If I required to consult anybody on anything I should consult them. That committee was never called together.

3814. They were called together from time to time?—They were never called together.

3815. Do I understand you to say that all the business of the canvassing previous to the day of the election was carried on without the operation of a committee, in the sense in which that is understood?—Yes; I should not like to say it was not a committee; but they had not any management or direction of the election.

3816. When you went out canvassing in the morning, did you go back to make a report anywhere?—There were no canvassers that went out except by myself; there were no paid canvassers. No person went out canvassing except with the candidates.

3817. Were there any canvass-books?—Only what were in my possession.

3818. Did you carry out all the canvass-books?—Entirely.

3819. Whenever a person went canvassing with books, you were there?—Yes.

3820. Did you take the canvass-books home with you?—Entirely.

3821. Were they prepared for returns at all?—On the same night.

3822. Where?—At my own house.

3823. Who was present?—Myself, Mr. Richardson, and Mr. Good. They rendered me assistance gratuitously.

3824 Were they prepared in the presence of the candidates?—Never.

3825. Did you inform the candidates?—Yes.

3826. You say you had no committee, and no canvassers?—There were canvassers.

3827. Had you a Stone-street Ward?—Yes.

3828. Had you a committee there?—No.

3829. What is the item, 24th June, "Printing 50 post, 80 fly-leaf circulars, committee meeting, Stone-street Ward"?—I will explain that. The borough being divided into wards, at the time of the election the whole of the register is divided into four wards, and only such and such persons can vote in that ward. Consequently at the time of the election it is necessary to have a committee for each ward, so that the slips may be brought from the poll-booth to this committee, so that they may turn to see the voter.

3830. By the *Committee.*] Are you talking of the polling day?—Yes.

3831. Mr. *Price.*] How comes the item on the 24th of June?—Prepared, no doubt.

3832. It is "distribution"; distributed to whom? Well, you say there was no committee at the Stone-street Ward at all. How do you account for the item in your book, "Printing 50 post, 80 fly-leaf circulars, committee meeting, Stone-street Ward"; that is on the 24th of June?—I have no doubt it was this, that at the time, as it drew near to the election, it would be necessary to call a number of the supporters of the gentlemen in the ward to assist them for the time of the election. This appears on the 24th of June; and Mr. Nicholson, who was the secretary of the ward for municipal purposes, would call 50, 60, or 100 of the voters together to assist them in carrying out the arrangement.

3833. Was there a committee meeting?—I have no doubt there was a day or two before the election.

3834. On the 24th of June?—I should think not; if this was printed on the 24th of June they would only be used some time afterwards.

3835. It says "distribution"; would that be to get them together on the polling day?—Before the polling day.

3836. Had you a committee at the Stone-street Ward before the polling day?—This is my answer.

3837. Answer it, yes or no?—I will answer it in my way.

3838. I will have it answered mine; yes or no; you can give it that question; had you a committee before the polling-day for the Stone-street Ward?—

> Mr. Serjeant *Ballantine* objected, on the ground that the witness was expected to answer categorically without being able to give his definition of what he considered a committee.
>
> Mr. *Price* was heard in reply.
>
> The *Chairman* said, the witness had better answer the question.

3839. Mr. *Price.*] Let us have the answer?—I think there was a committee, and now I wish to explain to you what that committee was. I have stated to you that there was a committee of 50 belonging to the Reform Association; that committee of 50 is divided into four compartments even in the committee; there are 18 selected for King-street Ward, 14 for Stone-street Ward, nine for Westborough Ward, and nine for High-street Ward; that is the proportion for each ward; in each ward there is likewise a secretary, and they are elected for municipal purposes. Mr. Nicholson, who is the printer of the bill you have referred to, is the secretary for Stone-street Ward; and if, upon the election, he thought it was necessary to see certain parties, there would be a number of circulars for that ward calling the gentlemen together to assist him in getting up the poll; he would have a number of circulars printed to send out to them to ask them to attend two or three days before the election to render him what assistance they could; and probably they would send out to ten persons.

3840. Then, for an election, Mr. Nicholson being the secretary, would have power, permission, or authority, to convene a meeting of that ward for election purposes?—Yes, if he thought proper.

3841. Would Mr. Nicholson be able to tell us what were the members of that committee whom he convened?—I do not suppose he could.

3842. Why, you say he would have authority to convene them by circular?—I could tell you myself, if I could remember them, but the committee has been elected for two years.

3843. Who was the chairman?—Mr. Charles Knight, of Stone-street.

3844. By the *Committee.*] Do you know who were the persons who attended the committee of Stone-street Ward?—I do not remember, I attended it; they might call the ward committees all on one night.

3845. Mr. *Price.*] Having told us that that is the explanation which you give of that item of the circulars for distribution for the committee at Stone-street, I will ask you again as to King-

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street Ward in the same way; probably you would give me the same answer, "Printing 200 official envelopes, official committee, 8th July"; what is the official committee of King-street Ward?—I think most likely these are the envelopes that were prepared at the time of the election, to be used from the poll booth to the different ward committees to be sent to the chairman of the central committee.

3846. Is that the official committee?—That would be the official committee; it would be probably the chairman of the central committee.

3847. "One-hundred ditto, King-street Ward"; that would be for the committee of King-street Ward?—Most likely.

3848. Who was the chairman there?—Mr. Thomas Clayton.

3849. Who is the secretary of that?—I think Mr. Cutbush.

3850. Now these committees you say would be convened by the authority of the secretary; do you know, as a matter of fact, on the 24th June one was convened, and do you know whether they sat on continuously up to the election or not?—I do not; they would only be called together.

3851. How would you know it as a fact?—Because the bulk of them I should attend myself.

3852. The bulk of the committees?—Yes, those large meetings of friends to assist.

3853. Do you mean to say you would be certain to have gone there every day?—I would not go in the day, but in the evening; they would meet from eight to nine or 10.

3854. How can you undertake to say they did not meet two or three or four times a-week, from the 24th of June down to the election?—Certainly not.

3855. Why?—Because there was no reason they should.

3856. Do you say they did not?—I will swear positively they did not.

3857. Why?—Because there was no necessity for it.

3858. Do you say, as a fact, there was no such meeting?—I do.

3859. How many times have you been there yourself?—I should say not more than once to either ward.

3860. Will you swear you have not been more than once?—I would.

3861. To each of them?—Except on the day of the election.

3862. Previously to the election you have been to each of those wards to a committee meeting held on the same day once?—Yes.

3863. Do you say you had no committees previously to the election?—They were committees, not in the sense I spoke of; a number of electors called together, but no committee, and not joining in our canvass, and those rooms were open likewise to those who were not invited, anyone who chose to come in that would render any assistance to carry out the election would come.

3864. Was there one of these ward committees held at the Bull?—Previously to the election.

3865. Which ward would that be for?—That made me tell you just now I could not call that a ward committee; that would be a committee for the whole of the wards.

3866. A kind of central committee?—Yes.

3867. When was that called?—That was during the canvass.

3868. How long before the election?—We commenced the canvass on the first Monday in June.

3869. Would that be for the purpose of comparing canvass books?—No.

3870. What for?—That was when the day's canvass was completed and the candidates had returned home; I put the canvassing books into the hands of two clerks or friends who were rendering me assistance, and they would pick out from the canvassing books the name of every person that had not been seen, and put it on a slip of paper.

3871. At your house?—Yes, when they were all made out they would put them on slips of paper.

3872. What was transacted at the central meeting?—These names would be read over.

3873. Would that take 11 nights?—More than that; the canvassing lasted more than a fortnight, and you must meet every night or you have an accumulation of names that have not been seen.

3874. Tell us who were present on those occasions?—It would be impossible.

3875. Were there so many?—Yes, there were so many; they were open to any one who chose to come in that we knew to be an active man.

3876. All the electors are entitled, you say, if they like, without subscription, to be members of the Liberal Association?—That is the rule.

3877. Does that make them, if I may so speak, official members of the committee, such as they are, and whenever they are called, of the Liberal members of the town?—No.

3878. Then is it necessary to have, for the purposes of committee work, a fresh committee appointed?—Every year the committee is supposed to be appointed.

3879. You say that every Liberal can be a member of the association?—Yes.

3880. And 50 are elected as the managing committee?—Yes.

3881. Do those 50 act for the borough elections?—They are divided into wards, and then, at the time of the borough election, they manage their own ward and call in anyone else they think proper.

3882. Can you undertake to say who were the 50; can you give me the names of those 50 according to their wards?—I could not remember them, but the names I have mentioned are not on that committee.

3883. How do you know that; is there a list?—Yes.

3884. Where is it?—At home.

3885. Is there any printed list?—No.

3886. Is there any list upon which the names of the committee are put down?—Only in the minute book.

3887. Where is that?—I have got it at home; I will produce the whole of the proceedings of the association for the last 10 years to-morrow morning if you like.

3888. By the *Committee.*] You say you have the management of the election?—Yes.

3889. With regard to the bills that you have paid, do these committees give orders independent of you?—No.

3890. Still you paid these items, orders for which were given independent of you?—I believe it was a correct item.

3891. Do they give orders independent of you?—I should give directions if they wanted anything connected with the expenses of the election; they would have to apply to me either for printing

ing or anything of the kind, and I should give directions to them; in the same way, as to the hire of flys, no man was engaged except by myself.

3892. You say the Liberal Society has no funds at its disposal for elections?—No, none.

3893. Nothing whatever?—Nothing of the kind.

3894. Mr. *Price.*] You say that you had a conversation with Mr. Large about Shirley; is Mr. Large an active man?—No.

3895. Why did you wish to oblige him?—He was an old friend and a customer as well, and if I could oblige a customer I should feel a pleasure in doing it.

3896. Something has been said about beef; is it the custom to send beef at Christmas?—Yes.

3897. Did Shirley complain to you that he had not had beef?—No.

3898. How was it beef was mentioned?—It was not mentioned.

3899. Are you the gentleman who is entrusted with the distribution of the beef?—I took an active part in it.

3900. Did you send beef to Shirley last Christmas?—I cannot tell.

3901. I want to know who had the control of any of the payments during the election?—I had entirely.

3902. Did you hire the band men?—Oh, no.

3903. You knew of their being hired?—I knew of their being out, but I did not know of their being hired.

3904. Did you know they were going to be hired?—I know that in an election for the county or the borough, bands and colours would be had; and if it did not come from the candidates I believe such would be the enthusiasm of the people that they would have a band at any price.

3905. Did you know that the band was going to be hired?—No, I did not.

3906. Let me ask you this; you say you had a control over the expenditure?—Yes.

3907. Were you the person who controlled the expenditure contained in the item for April, May, and June, "Preparing canvassing books, ward charts, eight in duplicate, 11 inspectors' books, nightly lists of unpromised voters, street lists, summoning committee meetings, and sundry other matters, 35 *l.*"?—I was entirely answerable for it.

3908. May I take it, therefore, there were expenses incurred in summoning committees during April, May, and June?—I will explain each item; there are several things here, "preparing canvassing books."

3909. I am asking you about committee meetings, are you answerable for that?—Entirely, for the payment.

3910. Am I right in saying, looking at that item, and I draw your attention to it, that it is the fact, that you did have committee meetings summoned during April, May, and June?—Not April, May, and June.

3911. Look at the item?—It is this, and that would be some explanation of the difficulty, that counsel seemed to get in with Mr. Whatman about the time; it was about the 12th that Mr. Whatman first issued his address, and then I considered commenced the expenses of the election; and, instead of charging the printing to the Reform Association, to come out of the 80*l.* which is the annual income of the association, I thought it was proper to come in with the expenses. There would be calling committee meetings as to the reception of Mr. Whatman, whether he would stand as a candidate, making arrangements for public meetings, and I say, then began the general expenses of the election; this would be preparing canvassing books.

3912. I am asking you simply about summoning the meetings?—There would be other expenses commenced.

3913. Is it so or not?—There was.

3914. Was what; during April, May, and June, did you summon committee meetings?—Yes; and, in that case, in summoning a committee, if I had to call the Reform Association together, I should put that in this account.

3915. There is "nightly lists," and "lists of unpromised voters"?—Yes; that is such a meeting as at the Bull.

3916. Were those lists of unpromised voters presented at those committee meetings?—Yes.

3917. For the purpose of letting those committees know what gentlemen ought to be seen who had not yet promised?—The parties who were out during that day.

3918. When you presented the lists of unpromised voters, would that be for the purpose of letting the committee of that ward know who in that ward had not promised their votes?—At the Bull, there would be a list of the people in the town.

3919. Do those committee meetings mean meetings of the whole of the town?—There would be ward committee lists a few days before the elections.

3920. We have got one of the 24th of June; then a few days before the elections, if there were ward committees, did you return to them the lists of unpromised voters?—No.

3921. To what committee?—To this committee sitting at the Bull during the time of the general canvass.

3922. And that central committee of the agregate number of all the ward committees?—Yes, 60 or 70, not merely of the ward committees, you wish to make me say.

3923. I do not wish to make you say anything?—You wish to make an impression on the Committee.

3924. Do not argue with me; I ask you whether that central committee would be composed of the aggregate number of the ward committees?—No.

3925. What then?—Consisting of 70 or 80 active electors who were not on the committee of the Reform Association, but willing to attend a meeting at night, to render assistance.

3926. Had you committees of electors distinct from the Reform Association committees?—One rule of the association is this, that at the time of a general election, if this committee require any additional assistance, they call in persons to render it.

3927. Then do they make a committee of them?—No.

3928. What did you mean by saying just now, that that central committee was composed of electors who were not members of the association?—I say, the place where they meet, includes all persons from all the different wards, but not committees from the different wards.

3929. Now, at the Bull, you say 40 or 50 attended?—Yes.

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3930. Were the names of those who had not been seen read over?—Yes.

3931. Was that for the purpose of giving information to the gentlemen?—For them to take the names.

3932. For whom?—Any one who was there; that was a committee-room there during the time of the canvass, and as soon as the canvass was completed, there was not a committee-room at the Bull.

3933. Any gentleman, when that list was read, would be very much obliged to, if he would go and see the voter?—He would take it and say, "I will see so and so."

3934. You divided the labour in that way?—Yes.

3935. You know Misson?—Yes.

3936. Has he voted often?—Yes; I should say he has.

3937. A pretty steady voter on your side?—Yes.

3938. Also at municipal elections?—Yes.

3939. An active man?—Not particularly active; at the time of an election, almost every man is active.

3940. Is he a member of the Liberal Association?—He would be, through being a Liberal, according to the rule; there is no proposing of members.

3941. Old Day?—He would be a member of the association from the fact of being a Liberal.

3942. Old Day is not active at all?—A great many more so, and some less.

3943. For his age?—Pretty active.

3944. Samuel?—He is not an active man, only on the day of the election.

3945. Very active then?—He will turn out then.

3946. Get stirred up?—That is the case very often.

3947. Now Burgess, is he a keen partisan?—Not particularly, only as a working man among his fellow workmen.

3948. Is he a member of the association?—Through being a Liberal; every man in Maidstone who shows, either by his votes, or his subscriptions, or his personal exertions (those are the words of the rule), that he is in favour of Liberal principles, is a member of the association.

3949. By the *Committee.*] Without any subscription?—Yes, and there is no proposing.

3950. Did you say, in answer to the learned counsel, that Burgess was on the committee?—He is not on the committee, and never has been.

3951. Mr. *Price.*] If Burgess paid the colourmen, did he pay them out of his own pocket?—I cannot say that.

3952. Is he poor or rich?—He is a working man.

3953. Did you not say that his labour was so great that he could not work much as canvasser?—He could not go about canvassing.

3954. Then, if he paid the colourmen, he would not pay them out of his own pocket?—I should say not.

3955. Where did he get the money from?—I do not know.

3956. You saw banners with poles for Lee and Whatman?—I did.

3957. Several?—Yes.

3958. And blue flags?—Yes.

3959. They cost something?—No doubt.

3960. There were new ones made for Mr. Whatman; he was a new candidate?—Ther were new ones made for the county.

3961. Mr. Whatman was a new candidate, and new banners would have to be made?—Yes.

3962. Have you the least idea if Burgess paid for those that he would pay it out of his own pocket?—My opinion is that he did not pay for them.

3963. Where do you think he got the money?—I think, as the agent of the sitting Members, I ought to be very careful not to have anything to do with anything that would either jeopardise the seats or that was illegal, and I endeavoured to avoid that as far as possible; therefore, I would not give any countenance to bands or colours.

3964. I ask you, as a matter of opinion, whether you think Burgess would pay that out of his own pocket, knowing what he is?—From my knowledge of Maidstone——

3965. Answer the question; do you think Burgess, being such a man as you describe, would pay that out of his own pocket without knowing that he had somebody to back him?—My experience of Maidstone is this, that if at an election they were determined to have a band, there are plenty of people in Maidstone who would subscribe to it rather than not have it, and I believe Burgess would do anything almost to get a band.

3966. He is so fond of music?—He is.

3967. Is he also equally fond of colours?—That is a portion of the music.

3968. And particularly fond of blue colour; is that his passion?—I do not know whether that is.

3969. May you consider him to be the Blue Man of Maidstone?—I believe he was in coalition with the other side to get them as cheap as he could together. I think it quite likely that he was in coalition with the other side, and might have come to some arrangement.

3970. That is your explanation?—I do not know.

3971. Your supposition is, that he is so fond of music that he would pay for bands for you, and so fond of mixing his colours that he would get colours on your side, to bring against you a case by petition; is that it?—No.

3972. What is he to coalesce for?—He knew there was a large number of flags and music on the other side; a much larger number, and he would think to himself, as these working men do, that they would be looked down upon without some music, and he would try any means to get it together. I do not know anything of his means.

3973. Your experience of Maidstone is this: that a man in Burgess's position gets so enthusiastic for his side, that he would go and pay for colours and pay for a band without having any body to come against?—I did not say so. I believe Burgess would endeavour to get subscriptions to pay for a band rather than go without it, and there are sufficient persons in the town who would not like to go without a band, and who would give subscriptions. As a proof, I remember a case of this very man Burgess; there was a municipal contest, and he went and collected some 8*l.* or 10*l.* to get out a band. I admit I subscribed to it myself.

Re-examined by Mr. Serjeant *Ballantine.*

3974. You are aware of the fact, that by a recent Act of Parliament music and colours are forbidden?—I am.

3975. And

3975. And they make the number subject to a penalty?—Yes.

3976. Although they do not necessarily vitiate the election?—I know that.

3977. Is it your judgment, and would you act upon such judgment, that colours and bands might be calculated to injure an inquiry into an election if there were colours and bands; and is it a matter you would at all approve as agent?—Not in the least.

3978. Has Burgess in this matter acted throughout the election directly contrary to your wishes?—Entirely.

3979. If you could have had any control over him, would you have prevented his acting altogether?—Yes.

3980. You entirely disapprove of every act he has done during the election, as far as you know it?—Yes.

3981. You say there were some meetings which come under the name of committee, commencing in May; the Reform Association works during the periods when there are no candidates?—Yes.

3982. And do what is necessary to promote the cause of reform?—Yes.

3983. And that is the object of the Reform Association?—Yes.

3984. But as I understand, you also say that directly a candidate comes upon the field, you substitute him for the Reform Association?—Yes.

3985. With regard to committee meetings at the "Bull," did they take place in the evening?—Only at night.

3986. There were no central meetings of any kind, except at the "Bull?"—None whatever.

3987. And none at any period of the day, even there?—Yes.

3988. Did the members attend that?—No; I do not remember seeing them there once; in fact, after the canvass they go home.

3989. About this beef?—I will explain that.

3990. Beef is supplied by the Reform Association?—No.

3991. By whom?—By the members.

3992. Is beef supplied on the Tory side?—It was. The commencement of this distribution of beef was with the Conservatives, when they had candidates, and when they had not candidates they did not give it; but the Liberal party, from 1857, when we have no candidates, still continue the distribution of this beef; and I have in those two years that we have not had candidates subscribed a guinea or a couple of guineas; and the Liberal party did so rather than discontinue it. That money is given by the candidates with this proviso—it was by Mr. Buxtone, it was by Mr. Whatman, when members from 1852 to 1857—that it should be made as charitable as possible at Christmas time. It is not only given to the poorer class of voters, but to between 500 and 600 widows.

3993. What did it come to per year?—£.200; 100 *l.* each.

3994. By the *Committee.*] Is it for charity alone?—Yes.

3995. Mr. Serjeant *Ballantine.*] How many people is it distributed to?—Thirteen hundred or 1,400.

3996. Is that to voters?—No; to widows. And I may say it was so when the Conservatives did the same; I believe they used to give it to some poor Liberals.

3997. You mean to say it is distributed to people who want it, and not with any reference to their politics?—I would not say without reference to politics, but it is not made so much a political thing as it is a charitable thing; and I would say this in defence of the other side, that when they did it, they did it quite as free from any political bias as we do.

3998. By the *Committee.*] Does it go on now on the part of the other side?—No, they have no members, and they have discontinued it.

3999. The members always supply this?—Yes.

4000. Whether they are Conservatives or Liberals?—Yes; I believe it has been in existence in Maidstone for 40 years.

[Adjourned till To-morrow, at Eleven o'clock.

Friday, 20th April 1866.

HON. CHARLES W. G. HOWARD, IN THE CHAIR.

The Names of the Members were called over:—All Present.

SAMUEL DAY, was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

S. Day.

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4001. ARE you a Coal Merchant residing at Maidstone?—I am.

4002. And a voter for that borough?—I am.

4003. I believe you are by political opinion a Liberal?—I am.

4004. And have you for years supported the Liberal party at Maidstone?—I have.

4005. Are you a member of the Reform Association?—I am not.

4006. Just tell me generally what part did you take in the election; did you canvass at all?—No.

4007. With Mr. Lee or Mr. Whatman?—No.

4008. Did you have any authority either from those gentleman or Mr. Wells to take any part in the election?—I did not.

4009. Directly or indirectly were you in any way agent for the sitting members?—I was not.

4010. I believe you do know now at any rate this man Jesse Kirby?—I do.

4011. Do you recollect his calling upon you on the morning of the election?—I do.

4012. Tell me in your own way what took place between you and this person Jesse Kirby on that morning?—He called upon me, and I said to him, "Now, come on, we will go and vote"; he replied directly "Not unless I have some money." I said, "Money; we are spending no money, and you will get no money from me; you told me you intended to vote Liberal; now, come on, and do it."

4013. Had he before that time told you he intended to vote Liberal?—He had.

4014. Just follow out this conversation?—He tried to get me to give him some money; he said he had been offered 15 *l.*, and that he would vote for us for 12 *l.*

4015. Did he say which party had offered him 15 *l.*?—By the other side.

4016. He said he wouldvote for the Liberals for 12 *l.*?—Yes.

4017. What did you say when he said he had been offered 15 *l.*?—I said "You know me very well: I am not going to give you any money."

4018. What took place then?—I told him; "Well, you can go on; if you alter your mind I shall be about, and you can see me again."

4019. What took place then?—He went away.

4020. Did you see him again?—I did.

4021. Where was it, and when did you see him?—I got out of a cab in High-street; I had been to poll a man named Fullager; I was going through Pudding-lane to my place of business; I had another man there waiting who wanted to vote; I saw him somewhere in Pudding-lane; he spoke to me; I tried my brother's side door.

4022. By the *Committee.*] Who spoke to you?—Kirby.

4023. What did he say?—I really cannot remember what he said.

4024. Was it anything about money?—No, not in the street; he did not speak to me about money in the street.

4025. What took place then?—We went across the road into Steers' shop, and there he said again that he would not vote unless he had the money.

4026. *Chairman.*] Where was this?—In Steer's tallow shop.

4027. Jesse Kirby said that to you?—Yes.

4028. Mr. *James.*] Go on, Mr. Day?—I said "I have no instructions to lay out any money, and you cannot have any money from me."

4029. What took place next?—I believe he asked me where I should be presently, or something to that effect, and he should not vote till 12 o'clock he said.

4030. Tell us the narrative?—I told him I did not know, but perhaps I should be at the "Haunch."

4031. Did you see him again?—I did see him again, and at that time I did not intend to come up street.

4032. Where was that?—At the "Haunch."

4033. What took place then?—Bentliff came to me, and he said "Here is Kirby; he has not voted; do you want to see him?" I said "No, if he wants me let him come here." Kirby came up the yard and we went in the coffee room; there a conversation again took place about the money; he said he would not vote unless he had 12 *l.* I told him I had no money to spend, and could not give it to him; he said, "I do not want you to give it me, master; if you lay it down somewhere, I lay I'll find it;" I said to him, "Not for me; you shall not have a damned shilling out of me." Those were the words; I give you just the words hat passed.

4034. You give us the exact words you used?—Those were the exact words I used.

4035. What did he do then?—I went out of the room; there I met Mr. Edward Mason; he said, "What have you done with this man Kirby?" I told him he would not vote unless he had 12 *l.*

4036. You told Mason?—Yes; Mason said, "You know we are not spending any money; I suppose

suppose you have got no money to spend." I said, "No." "Neither have I," he said, "and he must go and do as he likes."

4037. Keep to what took place between you and Kirby; did you see Kirby any more?—I saw no more of Kirby until a fortnight or three weeks after the election.

4038. First take this piece of paper in your hand; this is a note produced. "Samuel Day is coming"; is that your handwriting (*handing the paper to the Witness*)?—It is not.

4039. Do you know whose handwriting it is?—I do not.

4040. That has been produced by Mr. Jesse Kirby; have you any knowledge of it whatever?—I have never seen it before.

4041. You are on your oath; did you give that man, or direct anyone whomsoever to give that man, one single farthing of money?—I did not.

4042. Did you give directions to Bentliff or give any money to Bentliff to deliver to that man?—I did not.

4043. I believe you have made inquiries about Bentliff, and Bentliff is away from Maidstone?—I went to the shop three or four days ago, and asked for Bentliff, and they told me, "You have got to find him; he is gone."

4044. Can you find him in Maidstone?—I do not know where he is.

4045. Have you made inquiries for him?—I made inquiries at the shop if they knew where he was, for I thought he ought to be here.

4046. Had you, directly or indirectly, anything to do with any money to be given to that man, in any way?—No, I never gave Bentliff any money to give Kirby.

4047. Or give him any orders?—Or give him any orders.

4048. By the *Committee.*] Or to anybody?—To nobody.

4049. Mr. *James.*] When did you see Kirby next?—A fortnight or three weeks after the election.

4050. Where was that?—At Stroud station.

4051. Did anything pass between you and him then about this voting?—Yes.

4052. What was it?

Mr. *Price* objected to the question, on the ground that Kirby had not been cross-examined as to this alleged conversation with the Witness.

Mr. *James* was heard in support of the question.

Mr. *Price* was heard in reply.

The *Chairman* stated that Mr. James must confine himself to strict evidence, and that the question had better not be put.

4053. Mr. *James.*] Is that all that took place between you and Kirby in relation to his vote, which you have told us, on the morning of the election?—All, to my knowledge; all that I can remember.

4054. You know John Apps?—I do.

4055. Did you see him at any time on the day of the election, or shortly before?—I saw him on the morning of the election.

4056. Tell me what it was that took place between you and him about the election?—I met him in the High street, and I said to him, "Have you voted?" "No," he said, "I have not." "What; but," I said, "you have promised our people; why don't you go and vote and fulfil your promise?" He said he owed his brother-in-law 8*l.*; would I lend him the money; I told him no, I could not do that; I got him to put his milk-pails down in Steers' shop; we walked to my office; there I had a conversation with him about it; he still persisted in wanting the 8*l.*, and I told him I could not give it to him. Mr. Mason came by on his way to his business; I went out to him, and said to him, "Look here, this man wants to borrow 8*l.*; can you lend it to him?" "Oh, no," he said, "I shall not have anything to do with it; who is he, what is he?" Mason went into my office to speak to the man, and I had no more to say to him on the matter.

4057. Did you ever tell him to go to Mr. Askew's for the balance?—Never in my life.

4058. Either through Askew or anybody else, did you ever give or authorise any other person to give that man one single farthing of money?—Never.

4059. Is it true that you accompanied Apps to the poll?—I did not.

4060. The next case I wish to ask you about is the case of Clegg; the two witnesses to which were Henry James Noble and the daughter, Sarah Ann, who were called the day before yesterday; do you know this man, Henry James Noble?—I do.

4061. What have you known of him before the election?—He works for us sometimes; he works for anybody.

4062. First, let me take you generally; did you ever send him to Mr. Clegg for the purpose of canvassing him or offering him any money?—No, nor anywhere else.

4063. Did you say anything to him that there were any voters to be canvassed who might have 5*l.* a piece?—No.

4064. Is it true that you stated to him, provided there were any persons in Maidstone he knew of that could do themselves good by 5*l.* or 10*l.*, he was the one to look to?—No, nothing of the sort.

4065. You say that positively, on your oath?—I do.

4066. Did he ever let you know that he had been to Clegg to offer him 5*l.* or 10*l.*?—The first I heard of it was through seeing it in the papers.

4067. I believe you did go to Clegg's house to canvass him, and you found that he had voted?—Yes.

4068. *Chairman.*] You mean by the papers, the notice of the examination?—Yes.

4069. Mr. *James.*] The witness Noble also stated that there was a carpenter of the name of Day, and he said he saw him down at your place of business in the course of the polling day; was he there on that day?—He was, and I polled him.

4070. Is it true that you said, to Noble, "I have just saved one from going up yonder?"—Not in connection with that man.

4071. Did you use those words?—Yes, I did.

4072. In relation to whom were they spoken?—I told him I had saved one from going to gaol.

4073. Who was the man?—Fullager.

4074. What did you mean by it?—Fullager sent to me; he was away; there was a warrant out against him for the county court, and, I believe, one from the sheriff's court; he is a customer of mine, and I am in the habit of calling every week.

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4075. By the *Committee.*] Is he a voter?—He is a voter.

4076. Mr. *Price.*] A county court summons against him?—A county court commitment.

4077. By the *Committee.*] Anything else?—I believe a *ca. sa.* from the sheriff's court.

4078. What is the name of this man?—Henry Fullager.

4079. Mr. *James.*] Go on?—He communicated to me that he wanted to vote for the Liberals, but that he could not get his solicitor to file his schedule.

4080. In insolvency, you mean?—Bankruptcy, unless he would consent to vote Conservative; there was no time then for him to file his schedule before the polling—it was only the day before; I sent word to him that if he would call on me early on the morning of the poll, neither the county court bailiff nor the sheriffs' officer should have him there; he came about eight o'clock, as near as I can remember; that was about the time he came across the water, and I took him in-doors.

4081. Eight o'clock in the morning?—Yes; I took him into my house, and asked him whether he would poll as he was, and let us bustle him out of the way of the officers, or whether he would poll as a sick man.

4082. What process is that?—Wrapping him up in blankets and putting him a night shirt on.

4083. Which process did you pursue?—He said he would rather poll as a sick man.

4084. What was done?—I went out and borrowed him a night cap; put him my night shirt on, and wrapped him in a blanket. I sent for a chemist to ride beside me to do the doctor's business.

4085. He was to make him ill, I suppose?—He was to do the doctor's business.

4086. Did he so poll?—We drove him to the booth, and he so polled.

4087. The officers did not get him?—No; directly he polled he threw the blankets off and ran like a greyhound; the medicine had effect.

4088. Was that the man to whom you referred?—That is.

4089. And not to this Day, the carpenter?—Oh, no.

4090. These acts that you did, may I ask you, did you do them entirely without instructions from any one?—I did.

4091. Directly or indirectly, have you received any money, or promises of any money, from any one in connection with this election?—No.

Cross-examined by Mr. *Price.*

4092. What became of your friend Fullager after he had polled?—We sent him away in a cab with the chemist, up the Rockey-hill.

4093. And the next day he was bankrupt?—Yes, he was. I believe so from hearsay.

4094. Fullager is here, I suppose?—I believe he is.

4095. Do I understand you to say you never attended any canvass?—I do say so.

4096. You were on no committee, of course?—I was not, and have not been on a committee for six years.

4097. You did not take an active part in the election?—I did on the day.

4098. Previous to the day?—No.

4099. Not at all?—Not an active part. My intention was not to have had anything to do with it.

4100. There is a place "paved with good intentions," or the way to it?—Yes.

4101. Did you, or not, take an active part previous to the polling day?—No, I did not.

4102. What made you anxious to get Kirby to vote?—He introduced the subject to me. He was a Conservative before, and I was anxious he should do it.

4103. That you should do what?—That I should poll him.

4104. You say he had been a Conservative before?—Yes.

4105. I thought you said he introduced himself to you?—He introduced the subject. I had known the man for years.

4106. You say the conversation began by him offering to vote?—Yes.

4107. You spoke to him first?—He had already spoken to me.

4108. You did not say so before?—There was a conversation previous to all this.

4109. Your first words to my friend were, "I asked him to vote"?—Yes.

4110. Did you say so?—Yes.

4111. Did you ask him to vote?—I did.

4112. Why?—Because he had already promised he would.

4113. You say you knew he had promised the Conservatives?—No; I knew he had been a Conservative.

4114. Had you bribed him before?—No.

4115. How had he promised you?—He met me at the Stroud station, and promised me, three months before, when he asked me to get him a cottage in Maidstone.

4116. Did he know you had been an active partisan in election matters at Maidstone?—I do not know what he knew; he might fancy so.

4117. How should he come to you at Stroud three months before?—He met me on the platform.

4118. And began talking about his vote three months before?—Some time before.

4119. Had you ever spoken to him much before in your life?—Lots of times.

4120. About his vote, ever?—I dare say he might.

4121. If you were not a canvasser, and not on the committee, and did not take any part, why were you having constant conversation with Kirby about his vote?—I should not have spoken to him about his vote then, if he had not spoken to me.

4122. He comes and thrusts his vote down your throat?—I do not say so.

4123. On every occasion did he begin the subject?—I do not say he did. I began it on the morning of the election.

4124. Were you about that day, getting up votes?—Yes.

4125. You say you were not an active man in this election. Have you been active in former elections?—Yes; I had had enough of it.

4126. It is not the first time you have been charged with bribery at Maidstone?—No.

4127. This was the second time?—Yes.

4128. On a petition?—Yes.

4129. How many were you charged with bribing before?—I really cannot speak from memory.

4130. So many?—One, I think; I have no recollection of more than one.

4131. How much did you give him?—Nothing. It was a false charge.

4132. Were

4132. Were you on any committee then?—I really do not know; I do not think I was.

4133. I suppose you know Messrs. Lee and Whatman?—Yes, very well indeed.

4134. Did they go about canvassing a good deal together?—Yes.

4135. You saw them about?—I did.

4136. On several occasions?—I do not think I saw them more than twice or three times.

4137. Where did they start from?—I do not know.

4138. What did you go to "The Haunch" for?—That is a house I often go to; he is a friend of mine.

4139. Did you go to see your friend that day, after you had seen Mr. Kirby?—Yes.

4140. Did you go there for that purpose?—Well, no; I dropped in there casually as I went up street.

4141. What time of day?—I suppose about 11 o'clock.

4142. Dropped in casually at "The Haunch"?—Yes.

4143. Who did you see there?—Hundreds of people.

4144. Ned Mason?—When I came out of the room.

4145. What?—The back room, with Kirby.

4146. What where you in the back room with Kirby for?—That is the smoking room.

4147. At 11 o'clock in the day?—It was after he got that note, and came to me.

4148. After the note saying, "Samuel Day will be here directly," you did go down directly?—No, I was already there.

4149. Was it when Kirby had got the note?—If he ever got it, it was after Bentliff came and told me he was there.

4150. Why had Bentliff to come and tell you Kirby was there?—I do not know what made Bentliff come.

4151. Why did you not refuse to go?—I did refuse.

4152. Why did you go?—I did not go.

4153. You went into the back room?—He came to the back room to me.

4154. Why did you not order him out?—I had no power.

4155. What were you doing there?—Waiting there.

4156. Whom with?—No one.

4157. What were you doing?—Having a glass of ale, I believe.

4158. By yourself in the back room?—Yes.

4159. What do you mean by saying that after he got the note he came down?—After he says he got the note, he came down. It was after Bentliff came there and told me Kirby was there.

4160. Did Bentliff tell you he had got the note?—No.

4161. Who is Bentliff?—He is a man working for my brother.

4162. Where had Bentliff come from?—I do not know.

4163. How came Bentliff to come to you; did you not inquire why he came there?—He told me what he came there for.

4164. Did you see him before you saw Kirby in the back room?—Yes.

4165. Where did you see Bentliff?—Either at the door of the back room or in it.

4166. Bentliff told you Kirby was there?—Yes.

4167. Why did you not tell Bentliff you did not want to see him?—I told Bentliff that if Kirby wanted to see me, he must come there.

4168. Then, again, he asked for money?—Yes.

4169. Did it not strike you as a very odd thing that all these people should be asking you for money?—"All these people," you say?

4170. I will come to that directly?—I had no one else to ask me for money.

4171. Not Apps?—Oh, yes; to lend him 8 *l.*

4172. Did it not strike you as a very odd thing, you not being an active man, that two voters should come and ask for money from you?—Not at all.

4173. Are you known to be a party liberal at elections?—I am not a very liberal subject.

4174. Not out of your own pocket?—No.

4175. Are you a member of the Liberal Association?—No; I do not know anything about the Liberal Association.

4176. Never heard of the Reform Association at Maidstone?—The Reform Association I have heard of.

4177. You were not ashamed of the word Liberal?—No, I am not.

4178. Are you a member of the Reform Association?—Not that I know of.

4179. You must know?—I do not know it.

4180. If you are it is without your knowledge?—Yes, that it is.

4181. You said, "You know me very well; I shall not give you any money"?—Yes.

4182. How did he know you very well?—He has known me for years.

4183. Why should that make him know that you would not give him any money?—He knew very well I would not.

4184. Why?—I should not lay myself open to such a thing as that.

4185. He knew that you had been charged with bribery unjustly at a former election?—I do not know.

4186. The whole town of Maidstone knew it?—A good many of them.

4187. All the voters know that you are a man supposed to have bribed before?—Yes.

4188. How many times, altogether that day, did you have a talk with Kirby—Three times.

4189. First in the morning?—Yes.

4190. Then at "The Haunch"?—Then at Steer's.

4191. Then at "The Haunch"?—Yes.

4192. Is that all?—Yes.

4193. You told him, you say, "Well, you can go on, and if you alter your mind I shall be about"?—Yes.

4194. What were you to be about for if he altered his mind?—Every one is about in Maidstone on election days.

4195. That is what you meant?—Yes.

4196. Why was he to care whether you were about?—If he altered his mind.

4197. You said, "Well, you can go on, and if you alter your mind I shall be about." What did you mean by that?—If he altered his mind I would go and poll him.

4198. That is what you meant?—Yes; he knew very well I had an interest in polling him.

4199. He could poll without your assistance?—Yes.

4200. He was not a sick man?—He could have been if he liked.

4201. Was that what you meant when you said,

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said, "If you alter your mind, I shall be about"?—Yes, it was.

4202. Why did you not say so?—I am sure I do not know why I did not say so.

4203. Where were you?—At Steers'.

4204. You told him, "If you alter your mind, I shall be about." That is, somewhere about here?—Yes.

4205. Where he could find you?—Anywhere in the High-street. There was a little excitement.

4206. To let you know he had altered his mind?—Yes.

4207. Steers' seems rather a place used on election days. Apps was taken into Steers'?—Yes.

4208. What is this Steers' shop; has that got a back room?—Yes, a good many.

4209. A way out and a way in?—Five or six ways out and ways in.

4210. Steers' is the place where you saw both Apps and Kirby?—Yes.

4211. Is Mr. Edward Mason here?—I am sure I do not know.

4212. You say you saw Mr. Mason, and he spoke to you?—Yes.

4213. And he said to you, "What have you done about Kirby"?—Yes.

4214. What should he ask that for?—He knew I was in the room with Kirby.

4215. At "The Haunch"?—Yes.

4216. Was Mason at "The Haunch" that day?—He came in.

4217. Had you seen him before that morning?—Yes.

4218. Where?—At my office.

4219. What did he come for?—I called him in about Apps.

4220. What did you want to tell Mason?—He is a Liberal, and when I found that money was wanted by this man I did not want to have anything to do with him.

4221. Why did you speak to Mason?—Because he was a friend of mine, and I thought he was a man of judgment to advise me what to do.

4222. Did it so happen that Mason was charged with bribery at the last election?—I am sure I do not know. I know I was.

4223. Was Mason a great friend of yours?—Yes.

4224. Did he take an active part in former elections?—Yes.

4225. Has he always taken an active part?—I believe he has.

4226. You say Apps said he would have the money?—He said he would.

4227. And therefore you wanted him to see Mason?—Yes.

4228. You have not seen him anywhere about?—Not this morning.

4229. Is Mr. Joseph Day a relation of yours?—I saw him outside just now.

4230. Just take a pencil and write me down your signature, if you please?—I will. (*The Witness did so, and handed the paper on which his signature was written to the learned Counsel.*)

4231. Do you generally write so large as that?—Generally my signature is larger than the other part of the letter.

4232. Just write down for me, "Samuel Day will be here directly"?—I will. (*The Witness did so, and handed the paper to the learned Counsel.*)

Re-examined by Mr. *James*.

4233. You have been asked a great deal about previous occasions. On the previous occasion, was that the election of 1859?—I believe it was.

4234. And was that matter fully inquired into by a Committee of the House of Commons?—It was.

4235. And did the sitting Members, who, I believe, were Mr. Lee and Mr. Charles Buxtone, retain their seats?—They did.

4236. Now, as to this Mr. Jesse Kirby, tell me what took place on the previous occasion, when you say something passed about his vote, and he asked you about a cottage?—That was at Stroud station.

4237. Was it before the election?—It was some time before the election. I was coming down, I believe, from London. I met him on the platform. He came up to me and told me he had been living over at, as I understood him, the Rev. Mr. Hawley's, but that he was going to leave, and that he wanted to get a house in Maidstone; had I got one. He had previously lived in one of my cottages. I told him I did not know, but I would ask Kite, who is a house-agent in Maidstone. I said to him, "How about the still."

4238. Explain that?—An illicit still.

4239. There had been some talk of his having been connected with an illicit still?—Yes, he said, "I have sold it." I said, "Very well, I will let you know about the house."

4240. What was said about the election?—He told me he intended to vote our way; Liberal. I told him at that time that I did not intend to have anything to do with the election, but that I would tell them at Maidstone how he intended to vote.

4241. Up to that time he had been known as a Conservative?—Yes.

4242. In consequence of this he came to you on the morning of the election?—Yes.

4243. You were anxious to poll the man?—I was anxious to poll as many as I could.

4244. I believe some little credit attaches to a doubtful elector?—A little.

4245. From first to last, did you hold out any hope or promise of any money?—No.

4246. As to Mr. Steers' shop, I believe he is your brother-in-law?—Not that one. He is connected with my brother-in-law.

4247. I believe you knew him well?—I do.

4248. By the *Committee.*] Did he want to have a house from you?—Yes.

4249. Did Apps ask you to give him a pound?—No; he told me he did not want me to give it to him.

4250. Did he ask Mason to give it to him?—Not in my presence.

4251. Did you hand him to Mason, thinking he might give it to him or lend it to him?—I asked him if he would give it to him, and he said, no.

4252. Have you had any conversation with Apps since the election?—Yes.

4253. Has he said anything to you since the election about giving him any money?—Not about my giving him money.

4254. Anybody?—He told me that Askew had given him 6 *l.* 10 *s.*, I think it was, though I would not speak positively, and he said there was 30 *s.* more for him.

4255. What did you understand by 30 *s.* more for him?—I said, "I should go and get it before you get in a row."

4256. What

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4256. What did he come to you about it for?—I met him in the street, and no sooner was the election over than these things were reported in Maidstone.

4257. He came to you and said he had had 6*l.* 10*s.*?—The report was out that I had given it to him, and I said, "Why did you put the report about me"? He said, "You never gave me any money, and I never gave any report about you." He said, "Askew gave me 6*l.* 10*s.*, and there are 30*s.* more to come.

4258. When he said 30*s.* more to come, whom did he mean from?—From Askew.

4259. Do you know Askew?—I know him as having been a tenant of mine several years ago.

4260. Did you ever have any conversation with Askew about these matters?—I have joked him about it since.

4261. About what?—About what Apps said.

4262. Did he deny it?—He told me he did not remember lending him any money or giving him any, and if he did he was drunk; that is what he told me.

4263. You say you saw Mr. Mason, both in the case of Kirby and in the case of Apps; how came you to see so much of Mr. Mason?—I was about the town and I met him. He came into the "Haunch," and he saw me sitting there with Kirby; he knew I had been active in giving the blankets to that Mr. Day, and he expected that I was trying to get Kirby to vote, and he asked me how I got on with him, and I told him he would not vote unless he had the money.

6264. How long after the election was this conversation with Askew?—A week, I should think.

4265. What is he?—A beershop keeper.

4266. Did he take an active part in the election?—Not that I know of; I do not know who did until the morning of the election; I had nothing at all to do with it, and did not intend to.

4267. You say you do not belong to the Reform Association?—No.

4268. Did you ever give them any money?—Not for years; I have not, anyhow.

4269. You have no connection with it at all?—No.

4270. You say that a good many people come to you and ask you to lend them money at the time of the election?—I said I lent money at one time, to help get my living by it.

4271. Do you know Burgess?—Yes.

4272. *Chairman.*] Used you to lend money generally to people?—Yes, for a consideration; discount their bills for them.

4273. By the *Committee.*] You know Burgess?—Yes.

4274. Did you see him with Kirby at the time of the election?—No, I do not think I saw Burgess at the time of the election.

4275. You take no interest in the municipal ward elections?—Yes, a little interest in them.

4276. You do not act for the Reform Association in that matter?—No.

4277. Act independently?—I always act independently at elections; at least, since the last time I was up here.

4278. Were is Bentliff?—I do not know.

4279. How long has he been missing?—I do not know.

4280. Is it a common occurrence at Maidstone for a man to be missing?—I do not know.

4281. *Chairman.*] When was it you looked after him?—About a week ago.

4282. By the *Committee.*] He has not been heard of since?—I have not, and I do not think my brother has.

4283. Is that the only occasion you went to look after him?—I inquired for him.

4284. You say that Apps had a conversation with you, and said that Askew had given him 6*l.* 10*s.*?—Yes.

4285. How came Apps to speak to you on the subject?—I spoke to him and asked him, what business he had to make a report about me.

4286. Because the report was that you had sent him to Askew?—Yes, it did not come out in that shape at first; it came out that I had given it to him.

4287. Did you ever send anybody to Askew in your life?—No, and should not think of such a thing; he is not the sort of man.

4288. Did it come out that Apps had received 5*l.* from the other side?—I heard so.

4289. Mr. Mason, I believe, asked you if you had money to spend at the election?—He said to me, "You have got no money, I suppose"; I said "No;" and he said, "Neither have I."

4290. I suppose you and Mr. Mason have had money at previous elections?—Never; I never had money at previous elections.

4291. Why was that question asked?—Because this man said, "I won't go without the money." I said, "You know we have not got any money."

4292. There never has been any money spent at Maidstone?—I do not know; I have not spent it.

4293. Did you subscribe to the bands and colours?—I did once.

4294. At this last election?—No.

4295. Are you aware who paid for them?—I know nothing about it.

WILLIAM MISSON, was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

W. Misson.

4296. ARE you a Waterman living at Maidstone?—Yes.

4297. You have also a small fishmonger's shop?—Yes.

4298. Shortly before the election, were you employed as a messenger by Mr. Wells?—I was.

4299. What payment did you receive?—Five shillings per day.

4300. With the exception of that employment as a messenger at 5*s.* per day, had you any other connection with the sitting Members or their agents?—None whatever.

4301. Had you any authority to act for them, save as their messenger?—Not in the least.

4302. Directly or indirectly, have you given or promised any money to any elector whomsoever for his vote, or in relation to it?—I had none, nor any power to do so.

4303. Did you ever receive any money from the sitting Members or their agent, or any one else, to spend for them?—Not any

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4304. I believe you do know the man, Thomas Wills?—I know him now; I did not know him on the day of the election; I saw him that day along with a friend of his.

4305. You know the anatomical boot and shoemaker, as he describes himself?—Yes.

4306. You say you did see him on the day of the election?—I did.

4307. Where?—In the town, at the top of the High-street.

4308. Tell me what you saw of him, and what took place between you and him, if anything?—Nothing took place, no further than him and another person with me; we went into a house, and had a pint of beer each; we came out and had a walk again, and we went in and had another pint, and I left the house, and left this Mr. Wills and his friend by themselves; I had no connection with Wills whatever.

4309. Is it true that you offered him 8 *l.*, or gave him 8 *l.* for his vote?—I never gave him no money, nor neither did I offer him any; I had none.

4310. Did you give him one single farthing?—I know nothing of anything given to him; I know nothing at all whether he had anything or not, not in my presence, and therefore I cannot say.

4311. On your oath, did you give him, or know of his having one single farthing?—I do not know of his having anything; I did not give him any, or see anyone else.

4312. There was a conversation with a Mrs. Peters, spoken to yesterday morning; is it true that you went to Wills's house shortly after the election, and had a conversation with this Mr. Wills?—Some two months, perhaps; I cannot say exactly how long it was; I was going by his shop, and he called to me; I went in, I did not stop three minutes. I said to him, "I cannot stop to talk to you;" he said, "How is the petition going along." I said, "I don't know nothing about it; I am not connected with it; I hear there is one in progress."

4313. Is it true that Wills said to you, "How is it some had 10 *l.*, and I only had 8 *l.*"?—I said nothing to him about money at all.

4314. Did he say that to you?—No.

4315. Is it true you said to him, "That is all I could get you?"—I said nothing to him about money at all.

4316. Did he say anything to you?—No.

4317. Have you told us all that passed, and are you sure these words were not used?—They are facts which I tell you; I never knew which way he voted till after the election.

4318. Were you ever on any committee, or attended any committee-room, except in your capacity as messenger?—I never was on any committee; but I went into the committee-room for a certain purpose; to see the chairman respecting a 5 *l.* note that I took from a man named Apps, that he had received from the Conservatives for his vote; I got it away from him.

4319. What did you do?—I gave the chairman a 5 *l.* note, number 1096, on the Kentish Bank.

4320. You have spoken of it; now tell it in your own way; what did you do with the 5 *l.* note?—I took it to the chairman, and told him what had occurred; I told him that a man named Apps, who voted for the Conservatives, I saw after he had voted. I went with Apps to vote, and he voted to my knowledge, in my presence, for Lee and Whatman, at the "Bower Inn."

4321. Did he give you a 5 *l.* note?—He did.

4322. Did he make a statement at the time?—Yes.

4323. Is that the note (*handing a note to the Witness*)?—That is the same note; 1096 was the number.

4324. *Chairman.*] When was this?—On the morning of the election.

4325. By the *Committee.*] He gave you the note?—Yes.

4326. Why?—Because he had voted, he said, and he had obtained a 5 *l.* note from a man named Jones to vote for the Conservatives; he says, "Shall I keep it, or what;" I says, "Spend it."

4327. Why did he not?—I dare say he did; he had five sovereigns for it.

Cross-examined by Mr. *Hill.*

4328. You gave Apps the change?—I had got none.

4329. By the *Committee.*] Who gave you the note?—Apps.

4330. But in the meanwhile he had got five sovereigns for it; he had five sovereigns, and the note?—No.

4331. You say he got five sovereigns for the note?—He had it changed; the value of the note was given to Apps; but the note was retained by the chairman of the Liberal Committee.

4332. When he received the five sovereigns for it, how came the person who changed the note to allow him to keep it?—He was not allowed to retain it; but the Chairman of the Liberal Committee kept it.

4333. Mr. *Hill.*] This is the note of which Apps spoke in his evidence?—I suppose so.

4334. Is this the first Election Committee for Maidstone you have been before?—Yes.

4335. You were not before the last?—No.

4336. Had nothing at all to do with it?—No.

4337. No charge of bribery against you in the least?—Not that I am aware of.

4338. Now, you say you are not in a very large way of business?—I am not; my means are humble; I have not much money to run about with.

4339. You are a fishmonger, are you not?—Yes.

4340. And a barge owner?—I have got a barge.

4341. And a pretty comfortable house?—As good a house as I can afford to have: it is in a main street.

4342. Have you been making any investments, or purchasing any barges, or extending your business in any way since the last election?—I should like to know the money to do it with.

4343. Have you not had the opportunity of getting the money since the last election for that purpose?—No fear.

4344. That is not an answer?—No chance of it.

4345. Do not answer me in that way; say yes or no to my question?—I say no.

4346. *Chairman.*] Answer the questions in a proper manner, and do not get excited?—I beg your pardon.

4347. Mr. *Hill.*] You had nothing to do, you say, with the election of 1859?—No further than I might have made myself busy, as many people did, by running about. I can tell you this, that I have forced myself many times where I have not been wanted. It is an exciting time, and one does what one would not do at other times.

4348. Did

4348. Did Mr. Lee advance to you 100 *l.* for your services upon the election of 1859?—He did not.

4349. Did he ever advance you any money?—I borrowed 100 *l.* of Mr. Lee.

4350. That is what I call advancing?—I do not.

4351. Mr. Lee advanced you, or lent you, if you like the word better, 100 *l.*?—I had it as a loan, and I repaid it into the London and County Bank by instalments.

4352. Did you take a good deal of trouble and interest in the election of 1859?—I don't know; plenty more did, if I did.

4353. How long were you repaying that loan of 100 *l.*?—Fifteen months.

4354. Did you pay any interest upon it?—No.

4355. Have you had any loan, or any advance, from any person since the last election?—No.

4356. You never have?—No, and I did not want it.

4357. You told me you were only a messenger; in the very humble occupation of a messenger?—That is just it. I delivered bills, or anything that I was told to do.

4358. You merely had to run about the town?—That is it.

4359. What did they pay you for your work?—5 *s.* a day.

4360. You used to attend the "Bull" pretty regularly, did you not?—I have been in the "Bull."

4361. The waiter has said that you were in constant attendance?—I do not think I was in constant attendance; I had occasion to be there after being sent for.

4362. However, tell us this: you were there the night before the election?—I doubt it very much.

4363. You were there a long time the night before the election?—I say no.

4364. How long were you there the night before the election?—I will not swear I was not there, but if I was there I was only there for a few moments.

4365. Were you looking after the other messengers?—Yes, and looking on the dirty work that was being done by the Conservatives.

4366. Oh! you were looking after the Conservatives, were you?—Yes.

4367. Were they spending their money?—Yes.

4368. Being guided, I suppose, by the rates which votes were fetching in the market?—They were fetching anything they could get.

4369. That was what was going on at Maidstone?—Yes.

4370. Were they running pretty high?—They never offered me any, because they knew it was no use.

4371. You were out of the fight?—I was, but I saw it pretty well.

4372. Were votes fetching a good price?—I think they did.

4373. They were running as high as 15 *l.*?—Perhaps they might.

4374. I know they might, perhaps; but what I want to know is, whether they were?—I cannot say; they did not buy me, and therefore I cannot answer for other people.

4375. Were they going as high as 20 *l.*?—They might; I have heard that some people had 30 *l.*; but, mind you, I did not see it.

4376. But they were fetching as high a price upon that election day as was ever known in Maidstone?—I don't know; I never sold my vote in my life; I always voted in the Liberal interest ever since I had a vote.

4377. Was that the only time upon which money was spent in Maidstone upon an election?—God knows, I don't. They say that Mr. Roebuck spent a great deal there once, and Mr. Lewis also.

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4378. But they were going as high as you ever recollect them to have gone?—I do not know what the promises were.

4379. I am not asking you about the promises. You live in Maidstone, and I suppose you do not keep your eyes and ears shut?—It is not very likely that they let me see them buy and purchase votes.

4380. And, then, when that thing is done, it is done secretly, is it?—Some of it is done secretly, and some of it is done openly.

4381. Which part is done secretly?—Amongst those that do it.

4382. Amongst "*us*"?—I did not say "us;" amongst them who do it.

4383. Am I to understand, then, that it was done secretly on the one side, and openly on the other?—I do not know who did it; I merely say that I have heard that high prices were paid on the Conservative side.

4384. All done by the Conservatives, of course?—Yes.

4385. You never knew of any money, I suppose, being spent by the Liberals?—I never knew any money being spent by the Liberals; and I know this, that I never had any. I never could get any, and what is more, I never asked for it.

4386. The Conservative votes ran up to 30 *l.*, do you say?—They were a good deal behind in their canvassing, according to what I can learn by the evidence.

4387. We will come first of all to Wills; you went with Wills, I believe, into one or two public-houses?—I went into one. Wills was an entire stranger to me. I never knew anything of Mr. Wills, and I never knew anything of Mrs. Peters until I saw her in the corridor yesterday.

4388. Which was the first public-house which you went into with Wills?—A house near the Fair Meadow.

4389. That is the house that Wills has spoken of?—Yes.

4390. How long were you in there with him?—I do not know, perhaps 10 minutes. We just had a pint of beer each, and went out again.

4391. What sort of rooms are there in the house in the fair meadow?—I have been in the house several times. It is a porter shop. There is one room in the front which they term the tap-room, and there is a room at the back of the bar where the proprietor of the house lives.

4392. Then there is this porter room at the back of the bar, as I understand you; is that what you say, a porter room at the back of the bar?—There is a tap-room at one end of the bar.

4393. The place where they drink the beer?—Yes.

4394. Anderson is the man who keeps barges in the same wharf as yourself?—Yes; he has one or two.

4395. And he is the man who keeps this public-house?—Yes.

4396. He is in the same trade as yourself?—Yes.

4397. How long do you suppose you were in that public-house?—I should say 10 minutes, perhaps a quarter of an hour; I did not time myself.

4398. I did

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4398. I did not say you did?—You asked me how long I was there, and I cannot tell you exactly.

4399. You said you did not know Wills before this day?—I did not.

4400. What made you talk to him?—I knew the man whom he was with.

4401. Who was with him?—A man of the name of Agate.

4402. That is the man he spoke of as being with him?—Yes; I knew Agate, but I did not know him.

4403. Is this public-house of Anderson's in the main street at all?—It is opposite the Cattle Market where the fair is held.

4404. Was there any fair going on then?—Not that I am aware of; it was about as quiet as it usually is round that way.

4405. It is a beershop leading into a main street?—There is a great thoroughfare there; some wharves and barges at the waterside.

4406. While you were in the porter room, where was Agate?—He was there also.

4407. You need not yawn in that way; answer the question; where was Agate?—I say that he was there also.

4408. Was he in the same room with you?—Yes.

4409. In the porter room?—Yes.

4410. All the time?—Yes.

4411. And did Agate and Wills come out together?—We all three came out together and walked along the meadow.

4412. And back again?—I said, "I will go up the town and see how they are getting on." We went in again and had another pint, and I left Agate and Wills there.

4413. You had your walk in the meadow, and went again into Anderson's to have a pint of beer?—And Wills paid for his, and I paid for mine.

4414. Did you do so?—Yes.

4415. How long did you stop in the second time?—I did not stop there at all; I was merely drinking.

4416. Did you go into the same room as you had been in the first time?—I will not swear positively whether I did or whether I did not; I will not, and I cannot.

4417. Was anyone else there besides you, Agate, and Wills, at that time?—No, without the landlady. I think she brought in a pint of beer. I think that was the only person that either came in and went out.

4418. You say that you did not give any money on that day?—I say no; I had none to give; I had none myself. I had to borrow a shilling of a friend of mine to get some more drink with.

4419. Who did you borrow a shilling of?—A young man of the name of Bird.

4420. Where?—In the street.

4421. On that day?—Yes.

4422. At what time?—About noon, I should say.

4423. At what time of the day was it?—I had no money.

4424. Was it in the morning or in the evening?—In the evening; I was at home within an hour after the poll was over, and I never came out any more that evening.

4425. I understand that you took Apps up to the poll?—Yes.

4426. Where did you take him from?—On the Sandwich road.

4427. Is that what is called Askew's?—You asked me where I met him.

4428. I asked you where you took him from?—I took him from Askew's.

4429. Will you tell me who paid for that fly which took Apps and you from Askew's up to the poll?—I don't know about flies; I jumped up in a fly; I don't know who paid for it.

4430. And took Apps to the poll from Askew's?—Yes.

4431. Did you meet him in the house at Askew's?—No, in the public street, near the "Phœnix."

4432. Was that in one of Touris' flies?—I don't know whose fly it was.

4433. Do you know Touris?—Yes.

4434. Don't you know his flies?—I do not know Touris' flies from any other flies; I am not in the habit of going about in flies; I am in the habit of flying on my legs.

4435. *Chairman.*] Who was the fly-man who was examined?

Mr. *Hill.*—Gibbons, if I recollect rightly.

Mr. *Henry James* stated that there was one question which did not arise out of his friend's cross-examination, but which he desired to put to the Witness as to Holloway's case, and a man of the name of Standen.

4436. Do you know this man, Thomas Standen?—Yes; he is a driver.

4437. *Chairman.*] Upon whose evidence are you going to examine now?

Mr. *Henry James* stated that it was in relation to the vote of a man of the name of Holloway, the evidence of whom would be found in the shorthand writer's notes of the second day.

4438. Did you see him talking to a man of the name of Holloway?—I saw him talking to a man of the name of Holloway. They were standing talking together when I passed him.

4439. Is it true that this man said to you, "I do not know which way he intends to vote" (that is Holloway); "but I think he will vote in the way in which he gets the most money"?—No.

4440. What occurred?—As I was going by, Standen says, "There is Holloway, can't you get him something?" I said, "No, I don't want to do with any such characters."

4441. What did you do?—I walked away.

4442. Is it true that you said that he could get 8 *l.* to 10 *l.* if he would vote for Lee and Whatman?—No.

4443. Did you ever tell him that?—No.

4444. Did you ever tell him to tell Holloway that you could get him that 8 *l.* or 10 *l.*?—I did not; I should be sorry to trust him with ten pence, if I wanted it.

4445. Did you give Standen any money?—I did not.

4446. Did you at any time; at 10 o'clock on the election morning, give Standen 8 *l.* to take to Holloway?—I did not; this is a matter they cooked at the Practice Club.

4447. I may take it, then, that from first to last you neither offered Holloway or Standen, or any one, 8 *l.*?—I did not; I had no money in my possession at all.

Mr. *Henry James* stated that there was a question which he desired to put to the Witness as to Richardson's case, who was also examined upon the second day.

4448. Did

4448. Did you know a man of the name of John Richardson?—Yes; he works for a farrier.

4449. You also know James Chambers, the town carter?—I do.

4450. Were you with those two persons at the "Nag's Head" at any time?—I was in there on that night, about 12 o'clock.

4451. Who else was there?—Several persons were there.

4452. Was this Witness, whom we have spoken of, a man of the name of Collins, in there?—He came in there.

4453. Were you there with Collins, James Chambers, and Richardson, together?—Not in their company. They were at one end of the bar, and I was at the other.

4454. Being there, did you hear anything said by Chambers, as to promising 10 *l.* to any one?—No; he said nothing at all. He was looking after those who were knocking the money about—Collins.

4455. Is it true that he said, "If 10 *l.* will be of any good to you, I can get it;" and did Richardson say, "If I had it now it would"?—We had no conversation with any one.

4456. And you heard what took place?—We talked to ourselves; we did not speak to Richardson at all.

4457. While you were there, did Chambers take Richardson out into the yard?—He did not.

4458. You saw and heard what took place?—Yes.

4459. Did you leave with James Chambers?—We did.

4460. Did you go in with him, or find him there?—We went into the house with him, and came out with him.

4461. And you say positively that nothing of that kind took place?—Nothing of the sort took place. There were several of us. Some of the Reform Association were in there.

4462. By the *Committee.*] You went out with Collins?—No I did not; there were several of us. We knew what game there was being played, and we went in to see what was being done.

Mr. *Hill* stated that he desired to put a question to the Witness, as to Swan's case, which would be found in the first day's evidence, at page 59.

4463. You know Thomas Standen, do you not?—I do.

4464. How long have you known Thomas Standen?—Twelve or 14 years; more than that, perhaps; I cannot say exactly to a year or two; I have known him a long time.

4465. Known him for some time?—For years; and I know Holloway.

4466. And you had some talk with Standen, had you not, on the evening in question?—I did not.

4467. Do you mean to say that you never had any?—I did not; I passed him in the street.

4468. You passed him; you had no talk with him?—No. He, Holloway, and Standen, were together, and it was somewhere near the "New Inn."

4469. How long was this before the election?—It might be two or three days; I did not make any notes; it did not concern me.

4470. Two or three days before the election you saw Standen and Richardson together?—No, Standen and Holloway.

4471. Standen and Holloway?—Yes.

4472. What was it that fixed upon your mind having seen those two persons together?—Standen took me and said, "There's Holloway; cannot you do anything for him?" I said, "I have no authority to do anything for him." I said I should not have anything to do with him; I should not like to, after his being convicted for robbing a man's till.

4473. For what?—For robbing a man's till at Maidstone.

4474. If you were not employed, why did he address you?—I don't know.

4475. Why did you not like to have anything to do with Standen?—He is a bad man.

4476. Are you a poor man?—I am not poor, but I am not rich.

4477. And you have nothing to do with giving any money at elections?—No.

4478. What do you think of Standen walking about and asking you for money?—I suppose he wanted to fish out something.

4479. Why did he come to you?—I have known him for years.

4480. I don't know he is a friend of yours, is he?—I think I have been a friend to him a good many times.

4481. Why should he come to you about a vote?—Why should other people go and ask such questions?

4482. Why should he come to you?—Why should anyone else?

4483. Why should he have come to you and asked you about money?—I cannot tell you. I says that he did so, and I acknowledge it.

4484. You were a messenger?—Yes.

4485. Employed by Wells?—Yes.

4486. You being a messenger, he came and asked you for money?—He says, "There's Holloway;" and he says, "Could you not drop him a fiver"? and I said, "I have nothing to do with the election or the money."

4487. He said, "Could you not drop him a fiver"?—Holloway said he would come for seven; and I said, "I have no money, and neither do I want you."

4488. Holloway crept into the conversation?—He did.

4489. You three were not very far apart at that meeting?—I should say we were, for I never kept such people's company; and if I did I should have a policeman looking after me.

4490. You were keeping their company at that time, at all events?—No, they merely stopped me, just as I might stop you, in the street.

4491. Was that the whole of the conversation?—There was not ten words passed.

4492. Did it all take place while you were all three present together?—I tell you that he stopped and spoke to me, using the words I have said to you; that is all that was said and done.

4493. Was there anything said by Standen to you, or by you to Standen, after Holloway left?—No, nothing. I say he is paid to come up and tell that lie.

4494. Of course you have received nothing to come up here?—No.

4495. Nor expect anything?—No; and I have paid my own expenses.

4496. And you have paid your own expenses?—Yes; I may get paid for coming; I do not know, but not to come up and tell lies.

4497. Do you expect to have much?—Perhaps I shall

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I shall have something, but it will be given to me if I do get anything.

4498. Did you see Standen at all again during that election?—Several times. He was running about; I never said anything to him. He was running in and out among the mob; amongst what I call the roughs.

4499. You were among the smooths?—I was keeping myself clear of trouble.

4500. When did you next speak to Standen?—I never spoke to him again upon any election business.

4501. Do you remember speaking to Standen during the election?—I never had anything to do with Standen during the election; I said nothing to Standen.

4502. You have had nothing to do with Standen?—No.

4503. And you had no money in your pocket?—No, no more than I said and I acknowledged to; I borrowed a shilling because I had no money.

4504. That is all the money you had?—Yes, and I went home sober.

4505. What a pity it is that you did not keep so?—I was sober.

4506. Do you know a person of the name of John Nicholls?—Yes.

4507. Does John Nicholls keep the "Beehive" public-house?—Yes.

4508. And is John Nicholls in the same trade as yourself, a bargeman?—No.

4509. Has he barges?—No.

4510. He is not a bargeowner?—No.

4511. Has he been a bargeowner?—Well, he has.

4512. Up to what time?—I cannot tell you. He had barges one time.

4513. Do you know Nicholls pretty well?—I do; I am on friendly terms with him.

4514. Was Nicholls' a place where certain refreshments were being got?—I do not know.

4515. Upon your oath, have you not paid a bill at Nicholls' since the election?—I have not.

4516. You swear that?—I have not paid one.

4517. Have you paid any bill for refreshments since the election?—No; there was a man named Newport stuck up money to me without my knowledge, and I have had a bill, you understand, but have never paid it, and never intend to pay it.

4518. There has been a bill sent in to you?—Yes.

4519. And you say you do not intend to pay it?—No.

4520. By the *Committee.*] Did you say that a man sent up money to you?—No, he ran up an account, and forged my name in a certain manner.

4521. What do you mean by forging your name?—Placed it to me, knowing that I was on friendly terms with him, and knowing that my barge worked with Nicholls'.

4522. And Nicholls allowed an account to be run up against you which you had nothing to do with?—He was not at home. His wife was at home, and she allowed this account to be run up.

4523. In your name?—Yes.

4524. Nicholls is a man whom you know very well?—I do.

4525. There was some part of the bill you did pay?—No.

4526. None?—No.

4527. Are you sure of that?—Yes.

4528. You know William Swan also?—I do; I lived in the same neighbourhood with him at one time.

4529. When did you speak to him about the election?—On the morning of the election.

4530. Where did you meet him?—I saw him at his door; at the back door. Just as my back door may be here, and his there (*describing it*). I spoke to him merely in a friendly way.

4531. Was Swinfen there?—No.

4532. Did you see Swinfen about that time?—No. I was at home then; Mr. Swinfen never came to my house.

4533. Did yon see Swinfen about that time; on that morning?—Did I see Swinfen?

4534. Did you see Swinfen about that time in the morning?—Not that time, because I was at home.

4535. Did you see Swinfen?—I say that I was at home, and Swinfen never came to my house; some time afterwards I saw him.

4536. What time was it that you saw Swan?—About breakfast-time.

4537. What do you call breakfast-time?—From eight o'clock to half-past; something like that.

4538. Did you see Swinfen from eight o'clock to half-past?—No.

4539. When did you see Swinfen?—It was in the morning; it was during the morning; I saw him about the time that I met with Apps.

4540. You saw him about the time that you met Apps?—Yes, about that time.

4541. You say that Swan lived opposite to you?—No; at that time he lived within two doors of me.

4542. What business was he in?—He was a labourer.

4543. Not in very good circumstances?—No.

4544. What you would call a poor man?—About as well off as myself; he occupied the same rent house.

4545. Do you mean to say that?—Yes.

4546. Is not Swan a bricklayer's labourer?—Yes, and he has no family.

4547. Do you put yourself on an equal position with him?—He has got no family, and I have.

4548. That is the difference?—That makes all the difference.

4549. That is what you mean by saying that you and he were in the same circumstances?—Yes.

4550. Did you speak to Swan about the election?—I did. To Swan I said, "How are you going to vote?" I said, "Are you going down street to-day; what do you think about doing?" In fact, he came to me at the top of my garden. He had got a pig in there, which was more than I had.

4551. Never mind the pig. Had you any cards with Lee and Whatman's name on?—I had some left; I had several at one time.

4552. Did you give Swan one?—Very likely I did; I had plenty of them.

4553. Was Swinfen near when you gave him that card?—No; I do not know anything about Swinfen.

4554. You do not wish to say anything about it?—I said to Swinfen, "There is a man who has not voted;" I said, "Look after him."

4555. Swan being there, you said, "There is a man

man who has not voted "?—Swan was going along the street, and when I saw Mr. Swinfen I said, "There is a man who has not voted; he says he will vote with us all right; just look after him."

4556. What time of day was that?—That was some time in the morning.

4557. Was that about breakfast-time?—No; it was after breakfast-time. I never went with Swan to vote.

4558. Was that about nine o'clock?—Later than that.

4559. Let us have the time?—It might be half-past nine, and it might be ten; I cannot say.

4560. Then about half-past nine you drew Swinfen's attention to Swan as a man that had not voted?—I did.

4561. When I asked you just now whether you had not seen Swan at the same time that Swinfen was present, why did you answer me as you did?—How do you mean?

4562. Did you not hear me, in a series I think of some five-and-twenty questions, ask you whether Swinfen and Swan were not present together?—They were not.

4563. Then what do you mean by saying that you drew Swinfen's attention to Swan, and said, "There is a man who has not voted"?—I saw Swan going in the same direction; his wife was with him. She said, "I will not allow him to go and vote by himself; he will get too much drink, and I shall have a trouble to get him home, and I will take him down myself."

4564. That is what his wife said to you?—Yes; I said, "Here is a man of the name of Swan; he has not voted, and says he will vote;" and I said "Look after him." I said there was a man who would be sure to pick him up, which they did, on the other side, and who paid them as they went along.

4565. You agree with the last witness, that there was a great deal of money flying about in the last election?—Yes.

4566. All on one side?—Yes.

4567. This took place after you had given Swan Lee and Whatman's card?—Yes.

4568. Why did you give him a card?—Because I did give it to him.

4569. That is no answer?—I did not know whether he was going to vote or not.

4570. Do you mean to say that you gave the card to him without knowing whether he was going to vote?—I gave it to him; he might throw it in the fire, or take care of it, whichever he pleased.

4571. Did you not tell Swinfen that he had promised?—He had promised.

4572. When did he tell you that he had promised?—He told me that morning.

4573. Why did you say that you did not know that he was going to vote?—Because there was money offered to him by the other side, and he said he did not see why he should not have some.

4574. There is one question that I will ask you, and you can tell me; and I do not think we shall have any difficulty about this. To whom does Askew's house belong?—I do not know. I know it used to belong to a Mrs. Piper, in Brewer-street, the widow of a man named Piper, a millwright; who it belongs to now I don't know.

4575. Do not you know Askew's house belongs to Mason?—Askew hires a house there, but who he hires it of I do not know. He draws beer from Mason.

4576. Have you any doubt in your mind that it is Mason's house?—It is very likely that it is.

4577. Have you the slightest doubt that it is?—Why should you have any doubt.

4578. Have you any reason to believe it is not Mason's?—I have no reason.

4579. Have you any doubt that that house is Mason's?—I do not know; it is no use swearing to a thing I am not positive about.

4580. I am asking you, do you believe that that house is Mason's?—If I believe it I am swearing to it.

4581. Do you believe that that house is Mason's?—If I believe it I am swearing to it.

4582. Do you believe that that house is Mason's?—If I believe it I am swearing to it; I do not know whose property it is.

4583. You will not answer my question?—I do not know whose property it is; I know who it used to belong to.

Re-examined by Mr. *Henry James.*

4584. You told my learned friend that you had a loan from Mr. Lee of 100 *l.*?—Yes.

4585. When was that?—January 1860.

4586. Was it at the time that you wanted to buy a barge, or obtain some barges?—Yes.

4587. Did you apply to Mr. Lee to assist you?—Not at first.

4588. But you did apply to him?—I did.

4589. Did you eventually apply to him to assist you?—I tried the bank first. I could not get it there. I paid a deposit, being deceived by a friend of mine.

4589*. Let us keep to the question, if you please. Did you eventually go to Mr. Lee, and ask him to lend you 100 *l.*?—Yes.

4590. Did you give any bond for it?—No.

4591. Did you give any security?—I paid the money back.

4592. How long was it before you paid it back?—In 15 months.

4593. You paid it back in May?—April or May; 12 *l.* was the last money I paid back.

4594. Was that money anything to do with your vote at this election?—I had no idea of having a barge at that election; neither when the election took place, nor within a month or two.

4595. By the *Committee.*] That is the election of 1859 you are speaking of?—Yes.

4596. Mr. *Henry James.*] My friend has asked you as to a conversation, as to your being present at a conversation when Mr. Swinfen was speaking to this man Swan. Did you hear Swan say to Mr. Swinfen that he was one of the electors, and a poor man, and in need of a trifle; and did Swinfen ask Swan what he wanted for his vote?—I have just sworn that I was not present.

4597. I want to know whether you heard this?—I did not.

4598. Did you hear anything said about a 5 *l.* note?—I did not; I was not present when they met together.

4599. You have been asked about a great deal of money being spent by the Conservatives; have you known any person receiving any money from Messrs. Lee and Whatman's side?—No.

4600. Or any promises being made?—No.

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Mr. Lee and Mr. Whatman have a great aversion to any such thing, and I heard them say that they would retire if they thought that there was any improper means carried on to obtain their seats.

4601. You found out from this man Apps that he had received 5 *l.*?—He told me so.

4602. And showed you the note?—He said, "If you come to my house I will give it to you." I said, "I will go and have a look at it."

4603. I believe he would not give that note without getting the five sovereigns for it?—No; he got the five sovereigns.

4604. And then you brought it to the chairman?—The chairman never gave me the five sovereigns; he paid them to the man, and a minute was made of it.

4605. By the *Committee.*] He changed the note?- Yes.

4606. Mr. *Henry James.*] He changed the note, so that you could obtain possession of the note if it was required for further purposes?—He changed it, and it was placed in the hands of the chairman.

4607. By the *Committee.*] You changed it?—I took it and presented it to the chairman of the committee, and he received the five sovereigns for it from the chairman.

4608. Mr. *Henry James.*] Apps, I believe, signed that note in the presence of the chairman?—He did.

4609. By the *Committee.*] Who was the chairman?—Mr. Charle sArkcoll.

4610. Mr. *Henry James.*] You have been asked about a bill that you paid to a person of the name of Nicholls, and you said that a man of the name of Newport ran up a bill in your name?—He did, without my sanction; but I have not paid it.

4611. Was that the young gentleman, William Newport, who was called by my friend?—Yes.

4612. Who was also employed by Mr. Wells?—Yes.

4613. Did you give authority to him to run up that bill?—No; he not only ran up the bill there, but he ran up a bill at other places unknown to Mr. Wells or any one else.

4614. And, as far as you know, have those bills been paid?—No.

Examined by the *Committee.*

4615. You said something about dropping a fiver; who said that?—A man of the name of Standen.

4616. What made him say that?—He was an ignorant man, and I suppose he thought I had got money, or could get some.

4617. Thomas Wills told the Committee that you offered him 10 *l.* if he would vote for the Blues, and that you actually paid him eight sovereigns on account after he had voted; is that true, or is it not?—It is untrue.

4618. Did you pay him anything?—I did not.

4619. Did you offer him anything?—I did not; I had it not in my power.

4620. Then he is not speaking the truth when he says that you did?—He is not speaking the truth; it is a pack of lies; I never saw the man before the day of the election, not to my knowledge.

4621. Do you know Apps?—Yes, he is a milkman.

4622. How long have you known him?—I have known him these 10 or 11 years.

4623. Has he any particular political opinions?—Not at all, I believe; I know that he went to the "Castle" meeting where the Conservatives were, and he got pushed out of the room; I don't know what for, and thereupon he went direct up to a meeting that there was being held (and I went up with him) at the "Bower Inn," and he promised to vote for the Lee and Whatman party on account of the ill usage he had received at the hands of the Conservatives at the "Castle."

4624. Did he say anything about eight sovereigns?—He said nothing to me about money; he seemed very much agitated after the voting, and I asked him what was the matter. He says, "I have got a 5 *l.* note, which I received from an old man." He said, "If you like, you can have it." I said, "The best thing you can do is to stick to it, and spend it." I told him that the best thing for him to do was to stick to it, and spend it; they had no business to give it to him, and I thought that that was the best advice I could give him.

4625. Did he sign a memorial to Wardlaw and Betts?—I do not know; I never saw the petition.

4626. How far was he from Askew's house when you took him to the poll?—Thirty or 40 yards, perhaps; I met him in the street standing by a lamp-post.

4627. You did not see Askew?—I did see Askew.

4628. Was he drunk or sober?—I think he was; he had been drinking a bit with Askew. Askew had no conversation with him, not at all; he ran out into the yard to get out of my way; he seemed very much confused, and I persuaded him to go on account of his promise to Lee and Whatman.

4629. You do not know that he got any money from Askew?—I do not believe he did; he was not out of my presence, and, in fact, he was only standing just in opposite the door; there were a lot of people there.

4630. The Liberal party never spent money at an election at Maidstone, did they?—I have never seen any, and I have never heard of any; I do not now whether they have ever done so; I have never seen it.

4631. You cannot give any explanation why all the people say, "Can you do anything for me?" or "Can you drop me a fiver"?—I did know what it meant, but I had no power to do it.

4632. You did not know the reason why it was said?—At these elections the lower the character of the people the more money they want, and I don't think they are very particular who they ask for it; they want information where they can get it.

Mr. HENRY FULLAGAR is called in; and, having been sworn, is Examined by Mr. *Henry James*, as follows:

Mr. *H. Fullagar.*

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4633. ARE you a horse dealer, carrying on business at Maidstone?—Yes.

4634. We heard at the time of the last election there was a warrant of commitment from the County Court against you?—Quite right.

4635. And did you see Mr. Samuel Day about it?—No.

4636. Did you see anybody about it?—No.

4637. Did you poll?—Yes.

4638. How did you poll?—Mr. Samuel Day polled me.

4639. How did you get to the poll?—I went up in a blanket.

4640. And I believe in a night cap?—Yes.

4641. And also in some other article of dress?—Yes.

4642. Wrapped up in a blanket?—Yes.

4643. And you polled for Lee and Whatman?—Yes.

4644. And you got away as quickly you could?—Quite right.

4645. Do you know this man, Jesse Kirby?—Yes.

4646. Have you seen him since the election about coming here to give evidence?—Yes.

4647. Did he say anything about your having any money, if you did so?—Yes.

4648. What did he say?—He wished me to turn round.

4649. What did he say to you?—He met me in the street; he said, "We are going to get up a petition;" and he wished me to turn round. He said, "If I liked to turn round, I could do a little good to myself." I said, "I do not think I can do you any good." He said, "O yes, you can; you know you can, if you like." I said, "I will go and tell the truth if you can tell me how to do it."

4650. Did he tell you anything about how much you would get?—He said he would see his friend.

4651. Did he say who his friend was?—He said Mr. Goodwin.

4652. Did you see him once, or more than once?—Eight or nine times.

4653. Did he come to you?—Yes.

4654. Did he say for what purpose he had come to you?—He said he wished to see me on Monday morning at Goodwin's office. He said, "I will meet you at the top of the town," and he did so; he said he had not time to go then, if I would leave it for another day or two.

4655. What did he say about your having anything, if at all?—He said I should have 200 *l.*

4656. Did he say from whom he could get it?—He did not.

4657. What were you to have the 200 *l.* for?—To turn round on Mr. Lee and Mr. Whatman.

4658. To do what?—I suppose he meant that I had had a bribe.

4659. What were you to do about it?—Yes, I was to go and tell the truth; I said I would go and tell the truth if he could send me the gold.

4660. Did he say anything about a Speaker's Warrant?—No.

4661. Nothing of that kind?—No.

4662. You were asked to speak the truth; did you receive any money at all from any one?—No.

Cross-examined by Mr. *Hill.*

4663. Kirby said to you that you could have 200 *l.* if you would come up and speak the truth?—Yes.

4664. And did you refuse to speak the truth?—Yes.

4665. I cannot find fault with you for that; where had you been for some time previously to the election?—Been at work.

4666. And you were at that time in a state of bankruptcy, were you not?—Yes.

4667. And for the purpose of taking the steps which are necessary to declare yourself a bankrupt, and free you from your debts and cares, there are certain forms necessary?—Yes.

4668. And those moneys you were very much in need of at that time?—Yes.

4669. And until you had them it was not safe for you to trust yourself among your creditors?—Decidedly not.

4670. If you had so done you would have found yourself "up there," as they call it?—Yes.

4671. That is the expression that is made use of?—Yes.

4672. When you were able to show yourself in Maidstone without fear of finding yourself "up there"?—About two days after the election.

4673. What had made you capable of showing yourself to your creditors two days after the election?—Because I had filed my petition, and had got protection.

4674. How did you come to file your petition?—To save myself going "up there," like you said just now.

4675. I mean who managed it for you?—Who managed it?

4676. Yes?—Why I managed it myself, to be sure.

4677. Did you take all the steps that were necessary?—Yes.

4678. Were did the money come from that was necessary for that purpose?—My wife's father gave it to me.

4679. Did he suddenly come down after the election and give you the money?—He is down; he did not come down at all.

4680. He came down with the money after the election?—No, he did not come down.

4681. Did he give the money after the election?—Yes.

4682. How long had you been in this needy state before the election?—Oh, a little time.

4683. Was it some five or six months?—No.

4684. Had you run down into this state of bankruptcy in a less time than that?—Yes.

4685. What were the losses that brought you down?—I suppose I was too kind to people.

4686. Lent them money, I suppose?—Yes.

4687. Did you lend them much money?—Not a sight of money.

4688. To what extent?—£. 200 or 300 *l.*

4689. Were your debts then about 200 *l.* or 300 *l.*?—Yes.

4690. Your assets, I suppose, were nil?—Yes.

4691. Do you mean to say that this 200 *l.* or 300 *l.*

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300 *l.* were simply money that had been lent?—Yes.

4692. And you had lent it between four or five months?—Yes.

4693. Do you mean to say upon your oath that this 200 *l.* or 300 *l.* was money which had been lent by you?—And lost in my business.

4694. What had you lost in your way of business?—In all sorts of businesses.

4695. What business?—A general dealer.

4696. And it had only taken five or six months to do it?—Yes.

4697. And no more?—Yes.

4698. Before, you were in a pretty good condition of finances?—I never was in a very good state.

4699. How long before the election was it you did not care to meet your creditors?—The election was nothing to do with that case at all.

4700. I am not saying it had. I was saying how long before the 12th of July was it that you were not in a state to meet your creditors?—I do not know that I can answer that question quite perfectly.

4701. How long was it? — Two or three months. A month or two, perhaps two months.

4702. May we put it as far back as the 12th of May?—Yes.

4703. We may say the 12th of May?—Yes.

4704. Or perhaps from May-day?—Yes, if you like.

4705. From May-day you had been in a chance of going "up there"?—Yes.

4706. Two days after the election your wife's father came down with the money? — I have already told you that he did not come down; he was down already.

4707. He lent you the money?—Yes.

4708. Who was your solicitor?—Mr. White, I think.

4709. What was the money that was required, and that was produced by your wife's father?—£.20.

4710. £.20 was given you by your wife's father?—Yes.

Mr. *Henry James* stated that it was given to him to file his petition.

Mr. *Hill* did not allege that he was bribed.

4711. Mr. *Hill.*] Who is your wife's father, may I ask?—Thomas Beecher.

4712. Does he live in Maidstone?—Yes.

4713. Is he voter?—Yes.

Mr. *Henry James* desired to be informed whether this was an allegation of bribery, which had not, as hitherto, been alleged. He did not know the object of the examination at all.

Mr. *Hill* stated that the Committee no doubt saw how the matterstood with regard to this point. They had put down in a list a number of persons, and amongst those persons a person of the name of William Day, with regard to whom an expression had been made use of, and to the following effect: "I have just saved one from going up to the gaol." It had been stated that the man this referred to was not the person, but that it was another, and it appeared that it was the Witness whose evidence was now being taken.

4714. You say that you have been two months without money, and you say that your wife's father came down and produced the money?—Yes.

4715. That was not the first time that you had been in difficulties?—Yes.

4716. Had you not been insolvent before?—No.

4717. Never?—No, never.

4718. You are not at the present moment entirely free from the apprehension of your creditors, are you?—Not that I am aware of.

4719. There is a warrant of commitment out from the County Court against you at the present moment?—Yes.

4720. What did you mean by saying that you were not aware of any difficulty with your creditors?—Aware! what do you mean?

Mr. *Hill*: Very well, I will not pursue it.

Mr. *Henry James* stated that he had no question to ask the Witness.

JAMES CHAMBERS, was called in; and, having been sworn, was Examined by Mr. *Henry James*, as follows:

J. Chambers.

Mr. *Henry James* stated that this Witness was called as to Richardson's case, as to which Mr. Collins gave evidence on the second day, which would be found at page 29 of the evidence.

4721. ARE you a town carter, as you call it, at Maidstone?—Yes.

4722. And do you live at Boxley-road?—Yes.

4723. Are you an elector?—Yes.

4724. And I believe that you voted for Mr. Lee and Mr. Whatman?—Yes.

4725. Did you ever join the canvassing parties at all?—No.

4726. You say that you never joined the canvassing party; had you anything to do with the committees?—No.

4727. Did you take any interest in the election?—No.

4728. Did you canvass any voters?—No.

4729. Had you any authority from, or directions of the agents of the sitting Members, to promise any one for their vote?—No.

4730. Did you take any part in the election except recording your vote?—No.

4731. Were you directed to do anything for the sitting Members?—No.

4732. On the night of the nomination day did you go to the "Nag's Head" public-house?—I did.

4733. Amongst others was Misson, whom we have had here this morning, there?—He was there.

4734. Was there a man of the name of John Richardson there?—Yes.

4735. There were others there besides you?—Yes.

4736. You say you do not know William Collins?—No.

4737. I suppose

4737. I suppose I need hardly ask you whether you had something to drink there?—No, I had nothing to drink there.

4738. I beg your pardon. After you went there, did you see whether Collins and Richardson went out?—I did.

4739. And did they come back again?—Yes.

4740. Did you ever take Richardson out of the room?—No.

4741. Did you ever, out of that room, or in it, say, "Now, look here, I can get you 10*l.* if that is of any use to you"?—I never spoke to the man.

4742. That you swear positively?—I will swear it.

4743. And in consequence of anything said or done, did Collins say, "That will not do, the man" (meaning Richardson) "has promised to vote for the other side, and he is going to act like a man"?—I never spoke to the man.

4744. Did Collins say that they would not allow that to be done, as the man had promised to vote for the other side?—No; there was nothing said on either side.

4745. Did you say, "What is your game?" or ask Richardson who he was going to vote for?—I never spoke to the man.

4746. May I ask you, during the whole time that you were there, was Mr. Misson with you?—Yes.

4747. He left the public-house with you?—Yes.

Cross-examined by Mr. *Hill.*

4748. You were at the "Nag's Head" on that evening?—I was at the "Nag's Head" on that evening.

4749. And how long were you at the "Nag's Head"?—About half an hour, I suppose.

4750. What time in the evening was it that you were there?—Well, from twelve to one o'clock.

4751. Twelve to one o'clock at night?—Yes.

4752. It was getting on very late at night?—Yes.

4753. How long had you been there?—I cannot say how long I was there.

4754. All the evening?—No; I had just come down from the river.

4755. Two or three hours?—Not above half an hour.

4756. I cannot tell; I am now asking you for information?—And I cannot give it you.

4757. How long was Collins there?—I cannot say.

4758. Do you mean to say that you do not know Collins?—I do not know him.

4759. Do you know him by sight, or not?—I had seen him about the town.

4760. Do you know him by sight?—Yes; only by sight; that is all. *J. Chambers.* 20 April 1866.

4761. You do know him by sight?—By sight.

4762. How long have you known him by sight?—Oh, about 12 months, perhaps.

4763. He has been living in Maidstone something like 14 or 15 years, has he not?—I cannot answer that question.

4764. And has been guard on the railway there for 17 years?—I don't know anything about that.

4765. Now, you saw Collins and Richardson go out together?—Yes; if his name is Collins; I do not know his name.

4766. How many people do you suppose were at the "Nag's Head" at that time?—How many people?

4767. Yes?—I cannot say how many people there were.

4768. How long were Collins and Richardson outside?—I don't know; I never troubled my head about them.

4769. You saw them go out, and saw them come back again?—No; I did not see them come back.

4770. How long after Collins went out did you go out?—How long after?

4771. Yes?—It might be five or ten minutes.

4772. How long after Richardson went out did you go out?—They both went out together.

4773. Where did you go to after you left the "Nag's Head"?—I went home.

4774. You did not go out again?—No.

4775. Is there a back yard to the "Nag's Head"?—I do not know.

4776. Have you never been to the "Nag's Head" before?—Yes; many times.

4777. Do you mean to tell this Committee that you do not know there is a back yard?—I did not go to stop more than a few minutes.

4778. Do you mean to say that you do not know whether there is a back yard to the "Nag's Head"?—No.

4779. Do you mean to swear that?—I do.

4780. How many years have you used the "Nag's Head"?—How many years?

4781. Yes?—Perhaps 20 years.

4782. You have used the "Nag's Head" for 20 years, and you do not know whether there is a back yard or not?—No.

Re-examined by Mr. *Henry James.*

4783. Is there a straight passage?—Yes.

4784. Have you ever been to the end of that straight passage to see if there was a back yard?—No.

[The Witness then withdrew.

JOSEPH DAY was called in; and, having been sworn, was Examined by Mr. *Henry James,* as follows:

4785. ARE you an Upholsterer and House Agent, carrying on your business at Maidstone?—I am. *J. Day.*

4786. I believe you are in the habit sometimes of making loans to persons known to you?—I am.

Mr. *Henry James* stated that this evidence related to George Diprose's case, the evidence as to which would be found in the short-hand writer's notes of the second day.

4787. Have you known a man of the name of William Diprose, and also that man's wife; I mean persons who have a son of the name of George Diprose?—I do.

4788. Have you had business transactions with them?—I have.

4789. On the 20th of April, in last year, do you recollect Mrs. Diprose calling upon you?—I do.

4790. What did she tell you?—She told me that her son was in difficulties; that he had just had

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had a distress put into his house for rent, and that a man's cart was waiting outside to take the goods away.

4791. Did she make any application to you as to borrowing some money?—She did.

4792. What did she borrow, or ask you to lend her?—Something like 3*l.* 18*s.* she thought it would come to, including the costs; she did not know exactly. She did not know what the expense of the levy would be.

4793. Was the son with her at the time?—Not at that time.

4794. What did you tell her you would do?—I hesitated, and I said I did not do that sort of thing without security, but if she got her husband as security, I having done business with him, I did not mind advancing the money.

4795. Did she go and see her husband, d did she come back to you?—She did.

4796. What did she say about her husband giving security?—She said he would give his name.

4797. Did you tell her what to do?—I said I would go and get a stamp to draw up the note of hand on.

4798. By the *Committee.*] When was this second interview?—It was all in the same day.

4799. Mr. *Henry James.*] This took place on the same day?—Yes, within an hour or two.

4800. Did she come back again and bring George Diprose with her?—She did.

4801. By the *Committee.*] The father?—The son, the witness who was called.

4802. Mr. *Henry James.*] Did you then produce this note, which at that time had not the signatures upon it (*handing a note to the Witness*)?—I did.

4803. What was done with it?—My brother drew it up first.

4804. What was done with it when you gave it to them?—She took it away for her husband to sign it.

4805. Was it brought back to you?—Yes.

4806. By whom?—By the woman; by the wife.

4807. Was the son present?—Yes.

4808. Did it then bear the signature of the father William?—It did.

4809. Did the son at any time sign it?—He did directly, before I gave him the money.

4810. In your presence?—In my presence.

Mr. *Henry James* inquired whether it was in the recollection of the Committee what the son said as to this, that he had never signed this document?

The *Chairman* stated that the Committee perfectly recollected the evidence given by the Witness referred to.

4811. Mr. *Henry James.*] Will you be good enough to hand that document to the Committee?—(*The document above referred to was handed to the Committee.*)

Mr. *Henry James* requested the Committee to look at the signatures, and stated that the Committee would no doubt recollect the evidence of the young man, that he had stated he had signed nothing at all. In his evidence he was pressed very much on that point, and that he (Mr. James) having undertaken to produce that note, it not then being in the room, he had now produced it.

The document above referred to was then put in, and read as follows:

"Maidstone, 20 April 1865.

"We jointly and severally promise to pay Mr. Joseph Day on demand 4*l.* with interest.

"*William Diprose.*
George Diprose."

4812. Was that document signed by this young man in your presence?—It was.

4813. Do you know the signature of the father?—No.

4814. They brought that to you as the signature of the father?—They did.

4815. Was anything said to you about when it was to be paid back?—Yes.

4816. What was that?—That they had a pear-tree in their garden; that they realised something like 7*l.* in the previous season, and that this being the month of April, if they were turned out of the house they would lose the benefit of this pear-tree in the next season.

4187. When you advanced that money, which I presume you did, I presume you gave it upon the note?—I did.

4818. Was one word said about the election?—Not one word.

4819. On the 20th of April were there any addresses out from any candidates?—Not any.

4820. Or was there at that time any feeling existing about the election?—Not the slightest.

4821. I believe the gentlemen, the Conservative candidates, Messrs. Betts and Wardlaw, had not then announced themselves?—I do not remember it.

4822. Am I to take it that not one word was said about the election?—Not one word.

4823. Nor did you, in your own mind, give it in consequence of your knowledge that he was a voter?—No; merely in consequence of my knowledge of the mother and father.

4824. I believe the father was known to you to be a Conservative by his vote?—The whole of the family; they had been Conservatives all their lifetime.

4825. I believe you have applied both to the father and the mother for it?—Both.

4826. And the son is not in a position to pay it, I believe?—No.

4827. What answer have you received?—That they would let me have it as soon as they could.

4828. Were you ever out on the canvassing parties?—Not once.

4829. Had you anything to do with the committees at all?—Never at all.

4830. Had you any authority to make any advance by the sitting members, Messrs. Whatman and Lee?—Not the slightest.

4831. Or from Mr. Wells, or from any agent?—Not the slightest.

4832. I believe you employ a considerable number of men in your business?—I do.

4833. Amongst others, do you employ a man of the name of Bentcliff?—Yes.

4834. What is his Christian name?—Edward Bentcliff.

4835. Has he been at your place of business during the last few days?—I have not seen him.

4836. Have you had anything to do with his keeping away?—No.

4837. What

4837. What did he say when you saw him last?—I wanted to give him a job for about 10 days; he told me that he should not do it, that he had had enough of it; that he could do better than what I could give him.

4838. Have you had anything to do with that man being away?—Not the least.

4839. By the *Committee.*] What did you understand by "he could do better"?—That I did not pay him enough; that he was going to strike.

4840. How long is that ago?—About 10 days.

Cross-examined by Mr. *Hill.*

4841. You mean to say that you have not seen him since?—No.

4842. How long is it since you have left home?—This morning.

4843. How many years has Bentcliffe worked for you?—Eight or 10 years.

4844. Struck for wages at last?—Struck for wages at last.

4845. Have you ever inquired at his house for him?—I have not.

4846. Have you made any inquiry for him?—No.

4847. Your brother went and made some inquiries, did he not; did he ask anything. He has told me that he did not ask anything about him?—No, I do not think he did.

4848. No great inquiries have been made after him?—No.

4849. Do you know where he is working now since he struck?—No, not the least.

4850. Do you mean to say that you made no inquiries?—No; nor do I care much about him.

4851. He is a married man, is he not?—No, a single man.

4852. Lives in Maidstone?—Lives in Maidstone.

4853. Where he has been living all these years?—Yes.

4854. You know where to put your hand on this man if you want him?—I do not know where he lives; I know the direction.

4855. You do not know the number?—No.

4856. That is the reason that you have not made any inquiries; his family live in Maidstone, do they not?—Yes.

4857. And have done so many years?—Yes.

4858. Do you mean to tell me that you could not find him if you wanted him?—I do not think I could.

4859. Do you mean to tell me that you could not find that man if you wanted him?—I do not think I could.

4860. Do you mean to tell me that you could not find that man in Maidstone, this very night, if you wanted him?—I am sure I could not.

4861. Do you mean to swear, upon your oath, that you could not find him in Maidstone?—I mean to swear that I could not find him.

4862. You mean to swear that you could not find him in Maidstone, upon your oath, this very night?—No.

4863. Now, Sir, how do you know that you could not find him in Maidstone this very night?—I have inquired of my men, but they do not know where he lives. I do not know where he lives.

4864. When did you inquire of your men?—When I missed him.

4865. Ten days since?—Yes.

4866. Have you made any inquiries for him since?—Yes; each day.

4867. As to whether he had come back to his work?—Yes.

4868. That is the nature of your inquiry?—Yes.

4869. I will drop him, and now come to Diprose; you say that the Diproses generally voted for the Conservative party?—Always.

4870. And you also say, that on the 20th of April there was no notion of there being an election?—Not to my knowledge.

4871. You did not hear the examination of Mr. Whatman, yesterday?—No; I was not in the room.

4872. Do you still say, having called your attention to the fact, that Mr. Whatman has said something that there was nothing known about the election on the 20th of April?—Not to my knowledge.

4873. That there was nothing known up to that time?—There was nothing known, to my knowledge, at that time.

4874. You say that it was not known?—Not publicly known; I am speaking to my recollection. It was not known to me.

4875. I will ask you this as a person who knows something about Maidstone elections; was it not before the 20th of April that there had been a requisition signed to Messrs. Betts and Wardlaw, to come forward for Maidstone?—I cannot say. They never asked me to sign it.

4876. That is not my question; do you mean to say, living in Maidstone, that you did not know it was before the 20th of April that a requisition was signed to Messrs. Betts and Wardlaw to come forward for Maidstone?—I do not know it.

4877. That is not an answer to my question?—I do not remember.

4878. Do you mean to tell me, upon your oath, and this is a serious matter, and is not a laughing matter, that you do not know that it was before the 20th of April that a requisition was signed to Messrs. Betts and Wardlaw to come forward for Maidstone?—I do not know it.

4879. Do you believe it was?—No; I believe it was not. I do not know anything about it.

4880. Do you not believe that on the 20th of April a requisition had been signed to Messrs. Betts and Wardlaw to come forward for Maidstone?—I do not know.

4881. Have you any belief on the subject?—I have no belief. I have no belief, because I do not know.

4882. By the *Committee.*] Did you hear of the requisition?—I did in the course of a short time.

4883. Mr. *Hill.*] Do you read the newspapers?—"The Gazette."

4884. Were there not leading articles in the Maidstone papers, about this requisition, on the 20th of April?—I have not the least idea of it.

4885. You were, I suppose, living in Maidstone at that time?—Oh, yes.

4886. And talking to people?—Yes.

4887. And going occasionally to the different public-houses?—Yes, sometimes.

4888. And politics are not altogether quite out of place in Maidstone?—We do not talk much about them; not in public-houses.

4889. Everything is done privately?—Yes.

4890. Do you mean to tell this Committee that on the 20th of April you did not know of a requisition

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quisition being signed to Messrs. Betts and Wardlaw to stand for Maidstone?—I cannot speak to the date.

4891. The 22d of April was Easter Sunday, if I recollect rightly; now do you mean to say that before Easter you did not know of a requisition to Messrs. Betts and Wardlaw being signed to stand for Maidstone?—I do not recollect; I would tell you in a minute if I did.

4892. That is what you mean to say?—Yes.

4893. You have taken part in elections before this?—Yes.

4894. And all your family?—And all my family.

4895. And always been consistent and staunch Liberals?—Yes.

4896. And have taken a considerable interest in the Maidstone elections?—Yes.

4897. And likely to take an interest in future elections?—I hope so.

4898. That being so, when Mrs. Diprose came up on the 20th of April you say her son was with her?—The second time.

4899. Did you ask for the son to be sent for?—No, he was outside.

4900. Did you know at that time that the son was a voter as well as his father?—I think he was a freeman; they are all freemen.

4901. You knew they were all freemen?—Yes.

4902. And on that account you would take a certain interest in the Diproses?—Not in the least.

4903. You sent this down to old Mr. Diprose by the son?—By the mother.

4904. Did the son go away?—I did not go out to see.

4905. It was when the son and the mother came that this note was sent drawn out. Pray let me understand this clearly: the mother came first to ask you whether you would lend the money; you then sent for the son?—No, I did not send for the son.

4906. Very well, the son and the mother came together?—He waited outside.

4907. They came up together; you wrote out this note?—No, my brother wrote it out.

4908. And you sent it by the mother and the son to have it signed?—He was there.

4909. Did you put it into an envelope for her to take it down?—I gave it into the mother's hands.

4910. Did you receive it back again from the mother?—Yes.

4911. Did the son come back with the mother?—Yes.

4912. Was it in your office that the son put his name to it?—Yes.

4913. After it had been brought back?—Yes, after it had been brought back.

4914. What did you say at the time the son put his name to this note?—I told him that I wanted his name as well.

4915. It had been signed by the father, and you told him you wanted his name as well?—Yes.

4916. Did he say it was not for him?—No.

4917. Have you ever shown it to the son, from that day to the date of this petition?—No.

4918. You have not?—No.

4919. Have you ever asked the son for the money from that day to this?—Once I did.

4920. When?—When I met him in the street.

4921. When?—I do not know the date.

4922. Was it after the election?—Yes.

4923. When?—I do not know when; three or four months ago.

4924. Then what did you mean by saying you did not know?—I do not know.

4925. Was it just after the election?—Some time after the election.

4926. Will you tell me what you said to the son?—I said, "I want that money which your mother borrowed."

4927. What did he say to that?—He said, "I will see to that;" and he pushed off directly.

4928. This is a note in which they are jointly and severally liable to pay it on demand?—Yes.

4929. And upon that no further steps have been taken?—Not at present, but I shall do it pretty soon.

4930. Was there anything said when the money was lent, as to how long it was to be lent?—No.

4931. Nothing?—Nothing.

4932. An indefinite period?—An indefinite period.

4933. A note by which you got the screw put on the two Diproses to the extent of 4 *l.* with interest?—It was no screw at all.

4334. You had got the power of putting this in force at any time?—Yes.

4935. By getting the young Diprose to sign it, although the advance was to the mother?—Yes.

Re-examined by Mr. *Henry James.*

4936. I understand that you lent this money out of perfect charity?—Yes.

4937. That would be what you would call putting on the screw?—No.

4938. You have applied to the mother for payment, have you not?—Yes.

4939. The father is a solvent person?—Yes.

4940. Has he promised to pay you?—Yes.

4941. My friend will forgive me, I am sure, when I ask you, you have not put on the screw at present?—No.

4942. By the *Committee.*] What was the object of getting the son to sign it?—To have two strings to my bow.

4943. Have you tied your second string?—I have asked him once.

4944. You have not pressed them for the money?—No, I have not, because the son has been out of work a great deal.

4945. Have you ever asked him for that money?—Once, and I intend to sue him for it.

4946. You intend to sue him for it?—Yes.

4947. You know that George, the son, has told this Committee that you agreed to give him 10 *l.* for voting for the "Blues"?—It is basely false.

4948. And that you paid him 4 *l.*, and agreed to pay him 6 *l.* after the election; is that true too?—It is false; I never said anything about it.

4949. Did he ever ask you for the 6 *l.* after the election?—No.

4950. Did you ask him to give you back the 4 *l.*, because he voted for the other side?—No.

4951. Or when you asked him for the 4 *l.*, did you say it was because he broke his promise, and voted the other way?—Not the least.

4952. He voted for the others; Messrs. Betts and Wardlaw?—Yes.

4953. What

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4953. What was the interest?—Five per cent.

4954. Do you generally lend money?—I often do.

4955. Are they customers of yours?—They have never borrowed money before; they have had goods of me. They live within a stone's throw of my house.

4956. What trade is the father?—A cutler.

4957. Is he a respectable man?—He is well known to me; he has been living there all his lifetime.

4958. How is it that the son is out of work so much?—He has fits, they told me, at times.

4959. Is Bentcliff a voter?—I think he is.

4960. Which way does he vote?—Liberal, I think.

4961. Did he take an active part in the election?—I did not see him.

4962. Have you heard of money before this being advanced in Maidstone on account of a vote?—Never.

4963. You never heard of such a thing?—Never.

Mr. CHARLES ELLIS was called in; and, having been sworn, was Examined by Mr. *Henry James*, as follows:

Mr. *C. Ellis.*

4964. WHAT is your Christian name?—Charles.

4965. I believe you are a freeman of the borough of Maidstone, and have been so for 50 years?—Yes, that is so.

4966. And I believe you have been twice mayor of the borough, and been a magistrate of that borough for 30 years?—That is true.

4967. And have you, Mr. Ellis, taken an active part in local and Parliamentary elections in Maidstone?—Yes, I think I may say so.

4968. I believe your views have been on the Liberal side of politics?—Yes.

4969. And since 1852 have you acted as chairman of the Liberal party there?—Yes, I think I have.

4970. We hear that there is a Reform Association to which all the Liberal electors belong without any election?—Yes, it is called the Reform Association.

4971. And is there a body, a sort of committee representing 50 members, who are elected?—Yes.

4972. Mr. Ellis, did you interest yourself in the election that took place last year?—Yes, I took an active part.

4973. And were you chairman of the committee of Messrs. Lee and Whatman?—Yes.

4974. Mr. Wells, we say, was the sole agent for those gentlemen?—Yes; he was appointed by each of the candidates.

4975. And I suppose he received from you a report of the canvass as it proceeded?—Yes, at stated periods.

4976. I will not ask you as to the exact numbers, but was that canvass a very successful canvass for the Liberal party?—Particularly so; I was perfectly astonished at the result. I will tell you that I did not attend the canvass.

4977. Knowing what you do of former canvasses, was that a very good canvass?—Yes, very much so.

4978. I believe you were aware of the views of Messrs. Lee and Whatman, as to the way in which that election should be conducted?—Quite so.

4979. Did you consult with those gentlemen, and also with Mr. Wells, the agent, upon the subject of that election?—Yes; it was perfectly satisfactory.

4980. From first to last were the instructions you received, and they gave, that the election should be a pure one as far as it was possible to be so?—Decidedly so.

4981. I will not ask you as to yourself, but have you any knowledge directly or indirectly?—

Mr. *Hill* stated that it was not, and never had been, alleged that Mr. Ellis (the Witness) had been guilty of bribery.

Mr. *Henry James* stated that he did not believe he should offend the Witness by asking the question.

4982. Have you any knowledge directly or indirectly of any person being employed or directed to spend any money for improper purposes at that election?—None whatever.

4983. As to certain men who have been called, Mr. Samuel Day, Misson, and Chambers, and others, have you any knowledge of any payment of money by them?—None whatever.

Cross-examined by Mr. *Hill.*

4984. As you have not been in the room, you will be happy to hear that not one question has been suggested that you have. You will no doubt be happy to hear that. That being so, we are glad to see you in the box, and so well in health. I suppose we may take it that you were not so active at the last election as on former ones?—No.

4985. You took the chair and made your good speeches as you formerly did?—I question that.

4986. The newspapers say: "The chairman discharged his duties with his usual ability"?—He endeavoured to do so.

4987. That being so, I hope you may live a long while yet to fight the Maidstone elections?—I thank you very much for your kindness.

Examined by the *Committee.*

4988. We wish to know something about the constitution of the committee; who is it that pays for the music and the flags on the part of the "Blues"?—I really am unable to answer the question. I know that we discussed the question, and we at once disposed of it, because we knew it was illegal, and therefore we never found bands or colours. We never voted any money for the purpose; we had bands and colours, but I am as ignorant as any person can be as to the source from which they were paid.

4989. You do not know how Burgess was provided with the funds?—No; in fact, I do not know Burgess.

4990. The Association never found anything towards the expense of the Liberal candidate?—There were certain expenses for the year, and there were subscriptions for the general objects of the Association.

4991. To what extent did they amount?—Not to any large amount; I think I was in the habit of getting two guineas.

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4992. For general purposes?—Quite so.
4993. Nothing to do with the contest?—No, nothing whatever.
4994. Has there ever been any money spent at elections previous to this. Have you ever known money spent?—For corrupt purposes.
4995. Yes?—Yes; Maidstone is proverbial for a very large expenditure.
4996. By both parties?—Not so; I believe the Conservative party still follow that practice.
4997. The Liberals did once?—Oh, yes; formerly it was the practice with both parties.

Mr. NEVILL LARGE was called in; and, having been sworn, was Examined by Mr. *Henry James*, as follows:

Mr. *Henry James* stated that this Evidence was to be given in relation to the case of Robert Shirley.

Mr. *N. Large.*

4998. I BELIEVE you are a Gentleman, residing on your private property at Maidstone?—I am.
4999. Do you know a man of the name of Shirley, a cooper?—Yes.
5000. I believe his name is Robert Shirley?—Yes.
5001. He sometimes worked for Messrs. Simmonds & Company, who are your landlords?—Yes.
5002. And do their premises adjoin your house?—They do.
5003. By that means you became acquainted with him; and you have known him for some five years, I believe?—I do, and I have.
5004. In the early part of 1865, did Shirley make a statement to you about his work, not having sufficient to occupy him?—He did.
5005. What did he ask you to assist him in?—He asked me whether I could procure him a little more employment, as he was merely casually employed in these premises, Messrs. Simmonds'.
5006. What answer did you give him?—I said that I did not know much about the coopering trade. He said Mr. Lee employed a great number of coopers. I said I was not aware of that; but if he did so, and there was an opening for him, I, perhaps, would make interest, and get him something.
5007. Mr. Lee only employed coopers occasionally, incidentally in his business?—That is so.
5008. Did you know Mr. Lee?—I had a little acquaintance with Mr. Lee.
5009. I believe you promised to inquire?—I did.
5010. I suppose you were aware that Mr. Wells was in frequent communication with Mr. Lee?—I was.
5011. By the *Committee.*] What time was this conversation?—I think in the early part of February 1865.
5012. Do you say in the early part of February 1865. Is that your evidence?—Yes; I cannot speak particularly to dates. He worked there occasionally.
5013. 1865, you mean?—Yes, 1865.
5014. Did you then apply to Mr. Wells, to communicate with Mr. Lee?—I did.
5015. And I believe inquiries were made by you, as to whether he was a good workman?—I was asked whether he was a good workman, and I said I believed he was.
5016. I believe this promise was given to you, that Mr. Wells would communicate with Mr. Lee's foreman?—It was.
5017. And did you tell Shirley what Mr. Wells had told you?—I did.
5018. Some time after that, did you see Shirley?—I did.
5019. And did you ask him whether he had called upon Mr. Wells?—He said he had not. He said he did not know Mr. Wells himself. I said, "You were to have called upon him;" and he said, the reason why he had not done so was, because he did not know him; and he said, would I go and introduce him to Mr. Wells; and I said, yes, I had no objection.
5020. Did you go with him to Mr. Wells?—I did.
5021. In your own way, tell me what took place between you and Mr. Wells, and Shirley, upon that occasion?—That interview was very short. I said, this is the man I spoke to you about, that wanted work as a cooper. He said, "Very well; you say he is a good workman." I said, I believe he is. Mr. Wells said, "Very well, I will see Mr. Letsford (which was the name of the foreman). I think in a short time or otherwise I will give him a letter of introduction to him, and I have no doubt he will get something if he has any employment to dispose of." With this we parted, and we went down the street together. That is all that took place at that interview.
5022. The man has sworn that Mr. Wells asked him (that is Shirley), "Is your name Shirley," that he said "Yes"; that Mr. Wells said, "I understand that you are a voter"; was anything said about his vote?—Not a word.
5023. Is it true that Mr. Wells asked him which way he was going to vote; first answer me that?—It is not true.
5024. Did the man tell him, he did not really know, but he thought he was going to vote for Lee and Whatman, and that something was then brought up about the situation?—Nothing of the sort took place. Nothing was said about the election at all.
5025. Is it true that the large book was open before Mr. Wells, and then Mr. Wells said, "I see that you are a voter"?—It is not true.
5026. Or did he say, I see your name is on the book as being entitled to a vote, and if I had known you were going to vote our way you might as well had the Christmas beef last year; I will take care that you have it next year?—Nothing of that sort was said.
5027. By the *Committee.*] Nothing was said about the beef?—Nothing was said about the beef or in reference to the election at all.
5028. Now as to the time that this took place; I see he uses the expression of Lee and Whatman; was Mr. Whatman a candidate at that time?—I believe he was, but I am not quite sure.
5029. You believe he was, but you are not quite sure?—I believe he was.
5030. You are quite sure that those words which I have read to you were not used?—I am quite sure.
5031. I believe you do get situations sometimes for your poorer neighbours, and in other ways do what you can to help them?—Yes.
5032. I believe you have got many other persons besides this young man a situation?—Yes.
5033. By

4837. What did he say when you saw him last?—I wanted to give him a job for about 10 days; he told me that he should not do it, that he had had enough of it; that he could do better than what I could give him.

4838. Have you had anything to do with that h[illegible] being away?—Not the least.

4839. By the *Committee.*] What did you understand by "he could do better"?—That I did not pay him enough; that he was going to strike.

4840. How long is that ago?—About 10 days.

Cross-examined by Mr. *Hill.*

4841. You mean to say that you have not seen him since?—No.

4842. How long is it since you have left home?—This morning.

4843. How many years has Bentcliffe, worked for you?—Eight or 10 years.

4844. Struck for wages at last?—Struck for wages at last.

4845. Have you ever inquired at his house for m[illegible]?—I have not.

4846. Have you made any inquiry for him?—No.

4847. Your brother went and made some inquiries, did he not; did he ask anything. He has told me that he did not ask anything about [illegible]?—No, I do not think he did.

4848. No great inquiries have been made after him, [illegible]?—No.

4849. Do you know where he is working now since he struck?—No, not the least.

4850. Do you mean to say that you made no inquiries?—No, nor do I care much about him.

4851. He is a married man, is he not?—No, a single man.

4852. Lives in Maidstone?—Lives in Maidstone.

4853. Where he has been living all these years?—Yes.

4854. You know where to put your hand on this man, if you want him?—I do not know where he lives; I know the direction.

4855. You do not know the number?—No.

4856. That is the reason that you have not made any inquiries; his family live in Maidstone, do they not?—Yes.

4857. And have done so many years?—Yes.

4858. Do you mean to tell me that you could not find him if you wanted him?—I do not think I could.

4859. Do you mean to tell me that you could not find that man if you wanted him?—I do not think I could.

4860. Do you mean to tell me that you could not find that man in Maidstone, this very night, if you wanted him?—I am sure I could not.

4861. Do you mean to swear, upon your oath, that you could not find him in Maidstone?—I mean to swear that I could not find him.

4862. You mean to swear that you could not find him in Maidstone, upon your oath, this very night?—No.

4863. Now, sir, how do you know that you could not find him in Maidstone this very night?—I have inquired of my men, but they do not know where he lives. I do not know where he lives.

4864. When did you inquire of your men?—When I missed him.

4865. Ten days since?—Yes.

4866. Have you made any inquiries for him since?—Yes; each day.

4867. As to whether he had come back to his work?—Yes.

4868. That is the nature of your inquiry?—Yes.

4869. I will drop him, and now come to Diprose; you say that the Diproses generally voted for the Conservative party?—Always.

4870. And you also say, that on the 20th of April there was no notion of there being an election?—Not to my knowledge.

4871. You did not hear the examination of Mr. Whatman, yesterday?—No; I was not in the room.

4872. Do you still say, having called your attention to the fact, that Mr. Whatman has said something that there was nothing known about the election on the 20th of April?—Not to my knowledge.

4873. That there was nothing known up to that time?—There was nothing known, to my knowledge, at that time.

4874. You say that it was not known?—Not publicly known; I am speaking to my recollection. It was not known to me.

4875. I will ask you this as a person who knows something about Maidstone elections: was it not before the 20th of April that there had been a requisition signed, to Messrs. Betts and Wardlaw, to come forward for Maidstone?—I cannot say. They never asked me to sign it.

4876. That is not my question; do you mean to say, living in Maidstone, that you did not know it was before the 20th of April that a requisition was signed to Messrs. Betts and Wardlaw to come forward for Maidstone?—I do not know it.

4877. That is not an answer to my question?—I do not remember.

4878. Do you mean to tell me, upon your oath, and this is a serious matter, and is not a laughing matter, that you do not know that it was before the 20th of April that a requisition was signed to Messrs. Betts and Wardlaw to come forward for Maidstone?—I do not know it.

4879. Do you believe it was?—No; I believe it was not. I do not know anything about it.

4880. Do you not believe that on the 20th of April a requisition had been signed to Messrs. Betts and Wardlaw to come forward for Maidstone?—I do not know.

4881. Have you any belief on the subject?—I have no belief. I have no belief, because I do not know.

4882. *By the Committee.*] Did you hear of the requisition?—I did in the course of a short time.

4883. Mr. *Hill.*] Do you read the newspapers?—"The Gazette."

4884. Were there not leading articles in the Maidstone papers, about this requisition, on the 20th of April?—I have not the least idea of it.

4885. You were, I suppose, living in Maidstone at that time?—Oh, yes.

4886. And talking to people?—Yes.

4887. And going occasionally to the different public-houses?—Yes, sometimes.

4888. And politics are not altogether quite out of place in Maidstone?—We do not talk much about them; not in public-houses.

4889. Everything is done privately?—Yes.

4890. Do you mean to tell this Committee that on the 20th of April you did not know of a requisition

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quisition being signed to Messrs. Betts and Wardlaw to stand for Maidstone?—I cannot speak to the date.

4891. The 22d of April was Easter Sunday, if I recollect rightly; now do you mean to say that before Easter you did not know of a requisition to Messrs. Betts and Wardlaw being signed to stand for Maidstone?—I do not recollect; I would tell you in a minute if I did.

4892. That is what you mean to say?—Yes.

4893. You have taken part in elections before this?—Yes.

4894. And all your family?—And all my family.

4895. And always been consistent and staunch Liberals?—Yes.

4896. And have taken a considerable interest in the Maidstone elections?—Yes.

4897. And likely to take an interest in future elections?—I hope so.

4898. That being so, when Mrs. Diprose came up on the 20th of April you say her son was with her?—The second time.

4899. Did you ask for the son to be sent for?—No, he was outside.

4900. Did you know at that time that the son was a voter as well as his father?—I think he was a freeman; they are all freemen.

4901. You knew they were all freemen?—Yes.

4902. And on that account you would take a certain interest in the Diproses?—Not in the least.

4903. You sent this down to old Mr. Diprose by the son?—By the mother.

4904. Did the son go away?—I did not go out to see.

4905. It was when the son and the mother came that this note was sent drawn out. Pray let me understand this clearly: the mother came first to ask you whether you would lend the money, you then sent for the son?—No, I did not send for the son.

4906. Very well, the son and the mother came together?—He waited outside.

4907. They came up together; you wrote out this note?—No, my brother wrote it out.

4908. And you sent it by the mother and the son to have it signed?—He was there.

4909. Did you put it into an envelope for her to take it down?—I gave it into the mother's hands.

4910. Did you receive it back again from the mother?—Yes.

4911. Did the son come back with the mother?—Yes.

4912. Was it in your office that the son put his name to it?—Yes.

4913. After it had been brought back?—Yes, after it had been brought back.

4914. What did you say at the time the son put his name to this note?—I told him that I wanted his name as well.

4915. It had been signed by the father, and you told him you wanted his name as well?—Yes.

4916. Did he say it was not for him?—No.

4917. Have you ever shown it to the son, from that day to the date of this petition?—No.

4918. You have not?—No.

Mr. Charles Ellis was called in; and, having been sworn, was Examined by Mr. *Henry James*, as follows:

Mr. *C. Ellis.*

4919. What is your Christian name?—Charles.

4920. I believe you are a freeman of the borough of Maidstone, and have been so for 50 years?—Yes, that is so.

4921. And I believe you have been twice mayor of the borough, and been a magistrate of that borough for 30 years?—That is true.

4922. And have you, Mr. Ellis, taken an active part in local and Parliamentary elections in Maidstone?—Yes, I think I may say so.

4923. I believe your views have been on the Liberal side of politics?—Yes.

4924. And since 1852 have you acted as chairman of the Liberal party there?—Yes, I think I have.

4925. We hear that there is a Reform Association to which all the Liberal electors belong without any election?—Yes, it is called the Reform Association.

4926. And is there a body, a sort of committee representing 50 members, who are elected?—Yes.

4927. Mr. Ellis, did you interest yourself in the election that took place last year?—Yes, I took an active part.

4928. And were you Chairman of the Committee of Messrs. Lee and Whatman?—Yes.

4929. Mr. Wells, we say, was the sole agent for those gentlemen?—Yes; he was appointed by each of the candidates.

4930. And I suppose he received from you a report of the canvass as it proceeded?—Yes, at stated periods.

4931. I will not ask you as to the exact numbers, but was that canvass a very successful canvass for the Liberal party?—Particularly so; I was perfectly astonished at the result. I will tell you that I did not attend the canvass.

4932. Knowing what you do of former canvasses, was that a very good canvass?—Yes, very much so.

4933. I believe you were aware of the views of Messrs. Lee and Whatman, as to the way in which that election should be conducted?—Quite so.

4934. Did you consult with those gentlemen, and also with Mr. Wells, the agent, upon the subject of that election?—Yes; it was perfectly satisfactory.

4935. From first to last were the instructions you received, and they gave, that the election should be a pure one as far as it was possible to be so?—Decidedly so.

4936. I will not ask you as to yourself, but have you any knowledge directly or indirectly?

Mr. *Hill* stated that it was not, and never had been, alleged that Mr. Ellis (the Witness) had been guilty of bribery.

Mr. *Henry James* stated that he did not believe he should offend the Witness by asking the question.

4937. Have you any knowledge directly or indirectly of any person being employed or directed to spend any money for improper purposes at that election?—None whatever.

4938. As to certain men who have been called,

Mr.

Mr. Samuel Day, Misson, and Chambers, and others, have you any knowledge of any payment of money by them?—None whatever.

Cross-examined by Mr. *Hill*.

4939. As you have not been in the room, you will be happy to hear that not one question has been suggested that you have. You will no doubt be happy to hear that. That being so we are glad to see you in the box, and so well in health. I suppose we may take it that you were not so active at the last election as on former ones?—No.

4940. You took the chair and made your good speeches as you formerly did?—I question that.

4941. The newspapers say: "The Chairman discharged his duties with his usual ability"?—He endeavoured to do so.

4942. That being so, I hope you may live a long while yet to fight the Maidstone elections?—I thank you very much for your kindness.

Examined by the *Committee*.

4943. We wish to know something about the constitution of the committee; who is it that pays for the music and the flags on the part of the "blues"?—I really am unable to answer the question. I know that we discussed the question, and we at once disposed of it, because we knew it was illegal, and therefore we never found bands or colours. We never voted any money for the purpose; we had bands and colours, but I am as ignorant as any person can be as to the source from which they were paid.

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4944. You do not know how Burgess was provided with the funds?—No; in fact, I do not know Burgess.

4945. The Association never found anything towards the expense of the Liberal Candidate?—There were certain expenses for the year, and there were subscriptions for the general objects of the Association.

4946. To what extent did they amount?—Not to any large amount; I think I was in the habit of getting two guineas.

4947. For general purposes?—Quite so.

4948. Nothing to do with the contest?—No, nothing whatever.

4949. Has there ever been any money spent at elections previous to this. Have you ever known money spent?—For corrupt purposes?

4950. Yes?—Yes. Maidstone is proverbial for a very large expenditure.

4951. By both parties?—Not so; I believe the Conservative party still follow that practice.

4952. The Liberals did once?—Oh, yes; formerly it was the practice with both parties.

Mr. Nevill Large was called in; and, having been sworn, was Examined by Mr. *Henry James*, as follows:

Mr. *Henry James* stated that this Evidence was to be given in relation to the case of Robert Shirley.

4953. I believe you are a Gentleman residing on your private property, at Maidstone?—I am.

4954. Do you know a man of the name of Shirley, a cooper?—Yes.

4955. I believe his name is Robert Shirley?—Yes.

4956. He sometimes worked for Messrs. Simmonds & Company, who are your landlords?—Yes.

4957. And do their premises adjoin your house?—They do.

4958. By that means you became acquainted with him; and you have known him for some five years, I believe?—I do, and I have.

4959. In the early part of 1865, did Shirley make a statement to you about his work, not having sufficient to occupy him?—He did.

4960. What did he ask you to assist him in?—He asked me whether I could procure him a little more employment, as he was merely casually employed in these premises, Messrs. Simmonds'.

4961. What answer did you give him?—I said that I did not know much about the coopering trade. He said Mr. Lee employed a great number of coopers. I said I was not aware of that; but if he did so, and there was an opening for him, I, perhaps, would make interest, and get him something.

4962. Mr. Lee only employed coopers occasionally, incidentally in his business?—That is so.

4963. Did you know Mr. Lee?—I had a little acquaintance with Mr. Lee.

4964. I believe you promised to inquire?—I did.

4965. I suppose you were aware that Mr. Wells was in frequent communication with Mr. Lee?—I was.

4966. By the *Committee*.] What time was this conversation?—I think in the early part of February 1865.

Mr. *N. Large*.

4967. Do you say in the early part of February 1865. Is that your evidence?—Yes; I cannot speak particularly to dates. He worked there occasionally.

4968. 1865, you mean?—Yes, 1865.

4969. Did you then apply to Mr. Wells, to communicate with Mr. Lee?—I did.

4970. And I believe inquiries were made by you, as to whether he was a good workman?—I was asked whether he was a good workman, and I said I believed he was.

4971. I believe this promise was given to you, that Mr. Wells would communicate with Mr. Lee's foreman?—It was.

4972. And did you tell Shirley what Mr. Wells had told you?—I did.

4973. Some time after that, did you see Shirley?—I did.

4974. And did you ask him whether he had called upon Mr. Wells?—He said he had not. He said he did not know Mr. Wells himself. I said, "You were to have called upon him;" and he said, the reason why he had not done so was because he did not know him; and he said, would I go and introduce him to Mr. Wells; and I said, Yes, I had no objection.

4975. Did you go with him to Mr. Wells?—I did.

4976. In your own way, tell me what took place between you and Mr. Wells, and Shirley, upon that occasion?—That interview was very short.

4977. Have you ever asked the son for the money from that day to this?—Once I did.

4978. When?—When I met him in the street.

4979. When?—I do not know the date.

4980. Was

Mr. *N. Large.*

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4980. Was it after the election?—Yes.

4981. When?—I do not know when; three or four months ago.

4982. Then what did you mean by saying you did not know?—I do not know.

4983. Was it just after the election?—Some time after the election.

4984. Will you tell me what you said to the son?—I said, "I want that money which your mother borrowed."

4985. What did he say to that?—He said, "I will see to that;" and he pushed off directly.

4986. This is a note in which they are jointly and severally liable to pay it on demand?—Yes.

4987. And upon that no further steps have been taken?—Not at present, but I shall do it pretty soon.

4988. Was there anything said when the money was lent, as to how long it was to be lent?—No.

4989. Nothing?—Nothing.

4990. An indefinite period?—An indefinite period.

4991. A note by which you got the screw put on the two Diproses to the extent of 4 *l.* with interest?—It was no screw at all.

4992. You had got the power of putting this in force at any time?—Yes.

4993. By getting the young Diprose to sign it, although the advance was to the mother?—Yes.

Re-examined by Mr. *Henry James.*

4994. I understand that you lent this money out of perfect charity?—Yes.

4995. That would be what you would call putting on the screw?—No.

4996. You have applied to the mother for payment, have you not?—Yes.

4997. The father is a solvent person?—Yes.

4998. Has he promised to pay you?—Yes.

4999. My friend will forgive me, I am sure, when I ask you, you have not put on the screw at present?—No.

5000. By the *Committee.*] What was the object of getting the son to sign it?—To have two strings to my bow.

5001. Have you tied your second string?—I have asked him once.

5002. You have not pressed them for the money?—No, I have not, because the son has been out of work a great deal.

5003. Have you ever asked him for that money?—Once, and I intend to sue him for it.

5004. You intend to sue him for it?—Yes.

5005. You know that George, the son, has told this Committee that you agreed to give him 10 *l.* for voting for the "Blues"?—It is basely false.

5006. And that you paid him 4 *l.*, and agreed to pay him 6 *l.* after the election; is that true too?—It is false; I never said anything about it.

5007. Did he ever ask you for the 6 *l.* after the election?—No.

5008. Did you ask him to give you back the 4 *l.*, because he voted for the other side?—No.

5009. Or when you asked him for the 4 *l.*, did you say it was because he broke his promise, and voted the other way?—Not the least.

5010. He voted for the others; Messrs. Betts and Wardlaw?—Yes.

5011. What was the interest?—Five per cent.

5012. Do you generally lend money?—I often do.

5013. Are they customers of yours?—They have never borrowed money before; they have had goods of me. They live within a stone's throw of my house.

5014. What trade is the father?—A cutler.

5015. Is he a respectable man?—He is well known to me; he has been living there all his lifetime.

5016. How is it that the son is out of work so much?—He has fits, they told me, at times.

5017. Is Bentcliff a voter?—I think he is.

5018. Which way does he vote?—Liberal, I think.

5019. Did he take an active part in the election?—I did not see him.

5020. Have you heard of money before this being advanced in Maidstone on account of a vote?—Never.

5021. You never heard of such a thing?—Never. I said, This is the man I spoke to you about that wanted work as a cooper. He said, "Very well; you say he is a good workman." I said, I believe he is. Mr. Wells said, "Very well, I will see Mr. Letsford (which was the name of the foreman). I think in a short time or otherwise I will give him a letter of introduction to him, and I have no doubt he will get something if he has any employment to dispose of." With this we parted, and we went down the street together. That is all that took place at that interview.

5022. The man has sworn that Mr. Wells asked him (that is Shirley), "Is your name Shirley," that he said "Yes"; that Mr. Wells said, "I understand that you are a voter"; was anything said about his vote?—Not a word.

5023. Is it true that Mr. Wells asked him which way he was going to vote; first answer me that?—It is not true.

5024. Did the man tell him, he did not really know, but he thought he was going to vote for Lee and Whatman, and that something was then brought up about the situation?—Nothing of the sort took place. Nothing was said about the election at all.

5025. Is it true that the large book was open before Mr. Wells, and then Mr. Wells said, "I see that you are a voter"?—It is not true.

5026. Or did he say, I see your name is on the book as being entitled to a vote, and if I had known you were going to vote our way you might as well had the Christmas beef last year; I will take care that you have it next year?—Nothing of that sort was said.

5027. By the *Committee.*] Nothing was said about the beef?—Nothing was said about the beef or in reference to the election at all.

5028. Now as to the time that this took place, I see he uses the expression of Lee and Whatman, was Mr. Whatman a candidate at that time?—I believe he was, but I am not quite sure.

5029. You believe he was, but you are not quite sure?—I believe he was.

5030. You are quite sure that those words which I have read to you were not used?—I am quite sure.

5031. I believe you do get situations sometimes for your poorer neighbours, and in other ways do what you can to help them?—Yes.

5032. I believe you have got many other persons besides this young man a situation?—Yes.

5033. By

5033. By the *Committee.*] When did you take Shirley to Mr. Wells?—I cannot speak to dates, but I should think some time in April probably; the beginning of April, if I recollect rightly; he is there occasionally, and I live on the premises. I could not speak to dates. I did not take particular notice of it.

5034. Mr. *Henry James.*] I believe you have no vote?—No, I am not upon the register.

Cross-examined by Mr. *Hill.*

5035. Although not a voter, you knew that Mr. Whatman was coming forward at that time?—I did understand it.

5036. And I dare say most of the people of Maidstone who took an interest in politicals understood it likewise?—I dare say they did.

5037. Mr. Large, you say that no conversation of this sort ever took place when you were present?—I do say so.

5038. You will be happy to hear that Robert Shirley says that you were not present; that being so, I can scarcely understand why you were asked the question.

Mr. *Henry James.*] I beg your pardon, Shirley said no such thing.

5039. Mr. *Hill.*] And I beg yours. I am very happy to see you, and although I do not see the necessity of having called you, yet as you are here I will ask you one or two questions. What was your business, Mr. Large?—I was in the "Inland Revenue" for 40 years.

5040. That would be one reason why you had not a vote then?—Yes. I could have a vote now if I were put on the register.

5041. Mr. Lee, in his capacity as a trader, is engaged in what trade?—Nothing that I had any connection with.

5042. As a matter of fact, what is he; what is the business in which it was sought to obtain employment for Shirley?—In the coopering line.

5043. For what purpose?—I think it was in the dry coopering; I did not as near as I can recollect.

5044. Mr. Lee does what work, what is his trade, what is his business?—I understand he is a merchant and a lime burner.

5045. For what purpose does he require the dry coopering done?—I cannot say, that I don't know.

5046. I am asking for information?—I do not know, I was never on his premises; but I think it is for cement.

5047. You think he wants the casks for cement?—I think so.

5048. I think so to; that being so, what was the employment of Shirley?—When Shirley asked me I said I did not know what sort of coopering Mr. Lee's was, whether it was dry coopering or wet, I did not know whether that was the right expression. He said he did both.

5049. Then Mr. Lee wanting dry coopering done, and Shirley being a dry cooper, you yourself, a general friend of Shirley's, and always well acquainted with Mr. Lee, made application to him?—Yes.

5050. Why was it necessary, in order to bring the cement manufacturer and the dry cooper together to go to the tailor. What had Mr. Wells to do with it? He is a tailor, is he not?—Yes.

5051. Why should you go to the tailor. You knew Mr. Lee?—Yes.

5052. And had known him for many years?—I have known Mr. Lee for about 14 years.

5053. Very good; answer me, if you please. I suppose he would do a kind action for you as for anybody else?—Yes.

5054. Then why go to the tailor?—Because I knew that Mr. Wells was more intimately acquainted with Mr. Lee's foreman, and I was not.

5055. Then it is necessary, in order to get employment for Mr. Shirley from Mr. Lee, that he should be filtered through the hands of the tailor?—I do not know that that is necessary.

5056. It is generally requisite, is it not?—I do not think it is generally requisite.

Re-examined by Mr. *Henry James.*

5057. I do not know about this filtering through a tailor, but you say that Mr. Wells was in the habit of seeing Mr. Lee constantly?—I knew that.

5058. And Mr. Lee lives a certain distance from Maidstone?—Yes.

5059. And you called upon Mr. Wells, who was living in the town, and did not go out of the town to see Mr. Lee?—No. Allow me to explain. I called on Mr. Wells for another reason. I had rendered a service to Mr. Wells in another respect, and I knew that Mr. Wells would interest himself to oblige me.

5060-68. I will call your attention to this evidence, which was given. The witness said "I went to work for Mr. Lee through Mr. Large. He took me to Mr. Wells. He said, Is your name Shirley?"—Yes.

Mr. *Henry James.*] And then Mr. Price asks this question, "What did they say about work?"

Mr. *Hill* stated that he had gone through the evidence, and that he had arrived at a different conclusion.

Mr. *Henry James* stated that it was not for him to arrive at any conclusion. That this was the question of Mr. Price, "What did they say about work?"

Mr. *Hill* stated that it was not worth fighting about.

Examined by the *Committee.*

5069. You were going to inform the Committee why you were not on the register?—I might have been on the register. I rent my house of Messrs. Simmons & Hunt, and they asked me if I would be on the register, and I said "No." I held an official appointment for 40 years, and I was then precluded from voting by law and from being on the register, and as I am now advancing in years, although I could be on, I would rather not be on, because I do not want to be embroiled in election affairs; and moreover, I told Mr. Simmons that my political feelings being on the Liberal side, "and as you are a Conservative (these are the words that passed), perhaps I should not like to vote against you out of personal respect to you, and I could not vote on your side because that would be against my feelings;" and Mr. Simmonds is very friendly on all occasions. I have spent nearly all the winter at his place; but that was the reason that I did not wish to be put upon the register. I am advancing in years, and I did not wish to trouble myself about it.

Mr. GEORGE SANKEY, was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

Mr. *G. Sankey.* 20 April 1866.

5070. I BELIEVE you are a Member of the Royal College of Surgeons, practising your profession at Maidstone?—Yes.

5071. I believe you are in partnership with another gentleman?—Yes.

5072. Who is he?—Mr. Charles Long Allwork.

5073. I believe you entertain views in accordance with the Conservative party?—I voted for them.

5074. Have you been attending for some time past a man of the name of Burgess?—I have.

5075. How long have you been attending him?—Since Good Friday.

5076. What has he been suffering from?—An injury to the head.

5077. Occasioned by what?—By a fall.

5078. When did you see him last?—The night before last.

5079. Is he in a fit state to come here to give evidence?—No.

5080. What would you think would be the result of his being examined as a witness?—I think it is very likely that he might be very ill from being examined here; from the journey. He might have erysipelas, and it might kill him.

5081. You think the excitement of examination would be injurious and dangerous?—I think so.

5082. Will you take the responsibility of allowing that man to come here to give evidence?—No, not at present.

Cross-examined by Mr. *Hill.*

5083. On Good Friday the accident occurred?—Yes.

5084. What was the accident?—He was thrown out of a cart.

5085. On to his head?—Yes.

5086. Has he been confined to his bed ever since?—He has not been confined to his bed.

5087. Is he confined to his house?—No.

5088. Going about generally on any business?—Not on business.

5089. What about?—Merely walking about. He was not confined to his bed more than a day.

5090. Got up the next day?—I do not think that.

5091. He was up and about on Easter Sunday?—I dare say he might be.

5092. No fresh access of injury from that time?—No.

5092*. No concussion of the brain?—No.

5093. What was this accident?—He had a severe scalp wound; he was thrown out of a cart; the cart turned over.

5094. That did not prevent him getting up the next day?—He is a very wilful kind of man.

5095. Does he go about his ordinary occupation in Maidstone?—He walks about.

5096. What makes you think his coming to London would have this effect upon him?—There is a large open wound on the side of the forehead, and there is a piece of bone at the bottom of the wound exposed.

5097. His head is bound up, I suppose?—He has got a poultice on it.

5098. He is able to walk about?—Yes.

Re-examined by Mr. *James.*

5099. Is it the excitement that would produce erysipelas?—I think if he were to come up to London, and wait about that lobby, and undergo an exciting examination here, it would be detrimental to him.

5100. A person may walk about, and have his head bound up, who has received an injury to the skull, without detriment?—Yes.

5101. I think you said there was an injury to the skull?—Yes.

5102. There being an injury to the skull, do you think excitement is a thing that may produce erysipelas?—I do.

5103. And although a man may walk about in such a state, that is likely to occur to such a man?—I do not understand your question.

5104. Although a man may walk about, he may, from the injuries which he has received, if excited, pass into a state where erysipelas would intervene?—No doubt.

5105. By the *Committee.*] When did you first form an opinion upon the possibility of his coming up to give evidence?—Last night.

5106. Only last night?—Only last night.

5107. A man taking gentle exercise, in all probability will be beneficial to him?—I think he walks about very steadily and very quietly, so far as I know.

5108. What is the injury to the skull; is it anything more than a scalp wound?—The pericranium is stripped off the bone, and that will necessitate a piece of the bone coming away before the wound heals.

5109. A man taking gentle exercise at Maidstone is a very different thing from his being put under an exciting examination?—

5110. One may do good, and the other, probably, a good deal of harm?—I think so.

JOHN SWINFEN was called in, and, having been Sworn, was Examined by Mr. *James*, as follows:—

J. Swinfen.

5111. ARE you a gunmaker, living at Maidstone?—Yes.

5112. I believe you have resided there about 30 years?—Yes.

5113. I believe your views are Liberal, and you take a part in politics there in supporting the Liberal party?—I do.

5114. Do you recollect meeting, in the county road, a short time previous to the election, Je e Kirby?—I do.

5115. And did you canvass him to vote for Lee and Whatman?—I did.

5116. What did he say to you?—I asked him if he would give me a promise to vote for Messrs. Lee and Whatman; he said he would not make me any promise.

5117. Was that all that passed at that time?—I think there was some other little conversation.

5118. About his vote?—Not particularly about his vote.

5119. Did you refer him in any way to Samuel Day, or tell him to see any person of the name of Day?—I did not.

5120. Did

5120. Did you ask him how he was going to vote? Did he say he did not know, and did he tell you he was in view of a situation, and that he did not know that he should vote at all; and if he could get a situation, he would not stop for any electioneering?—I do not recollect a conversation of that description.

5121. Did you say to him, "If a man is short of his rent, or anything of that sort, a few pounds are handy to him"?—Decidedly not.

5122. Did he say, "Well, Mr. Swinfen, I don't happen to owe any rent just now;" is that true?—No.

5123. Did you say to him, "Have you seen Mr. Day"?—I did not say anything of the sort.

5124. Did he say, "I have;" and then you reply, "I will speak to Mr. Day myself"?—I did not.

5125. Upon your oath, did anything of that kind take place?—Not of the kind you have been reading.

5126. Did you refer him to Mr. Day, or was anything said about writing?—Nothing whatever.

5127. Do you know a man of the name of William Swan?—I do.

5128. Did you have any conversation with him at all on the subject of the last election?—Never, not till after the election.

5129. You never had any conversation with him before the day of the election, or upon that day?—To the best of my recollection, I never did.

5130. Did he ever say he was one of the electors, a poor man in need of a trifle, and did you ask him what he wanted?—I did not.

5131. Did he say to you, "Five pounds"?—Never.

5132. Did you give him a card with the name of Lee and the name of Whatman on it?—I have no recollection of a circumstance of that description.

5133. Or did you say, "Go and give your vote for them, and come again and see me, and you shall have it"?—I did not.

5134. Have you any recollection of a man named Misson pointing out Swan to you?—I do not recollect.

5135. On the morning of the election there was a good deal of excitement?—I recollect meeting with Misson on the morning of the election, but not the circumstance you refer to.

5136. Did you to that man or anyone give or promise any money of any kind or description?—None whatever.

5137. Did he come to you after the election, this man, Swan?—He did.

5138. What did he say?—He introduced himself to me by saying his name was Swan.

5139. When he came and said his name was Swan, did you know him by that name?—No.

5140. What did you say to him?—He said to me that he had been having some conversation with a Mr. Goodwin, a builder, whom I knew, and told me that he had refused to take 20 *l.* from the Conservative side, and told me that this 20 *l.* was laid on his table by one William Short.

5141. He is not a supporter of Lee and Whatman, I believe?—No.

5142. What was said then?—He said Mr. Goodwin thought it was such a praiseworthy act that the Liberal party ought to do something for him.

5143. That was his having refused the 20 *l.*?—Yes.

5144. What did you say to that?—I said it was a very praiseworthy act of him, and he asked me if I could get the Liberal party to do something for him; I told him I certainly could not do anything of the sort; that it was very praiseworthy of him to refuse it, but not very praiseworthy of him to come to me to ask me for money.

5145. Money or a situation?—I did not make use of the word "situation."

5146. Did he come to you once, or more than once?—He came to me twice after that.

5147. Is it true that at that interview you said that you could not do anything because they talked about a petition?—I might have said something to him about a petition pending, but I never told him I could not do anything for him because there was a petition pending.

5148. What did you say to him?—I do not recollect that I said anything to him about the petition.

5149. Did you ever postpone doing anything until the petition was disposed of?—Never.

5150. Most distinctly, have you had any communication with this man, by yourself or others, to promise him anything, or give him anything?—None whatever.

5151. Will that observation equally apply to your giving or offering money at all to anyone in connection with the election?—No.

5152. And, taking an active part in this election, have you the slightest knowledge of its being done on the part of the Liberals at all at the last election?—None whatever.

5153. I understand a witness has stated that you paid on one occasion to a man named Gibbons some small sum of money for a cab; do you recollect the fact?—I do.

5154. Tell me in your own way what you did give him, and for what did you pay him?—To the best of my recollection it was for three flys that were hired to go over to Tovell.

5155. At that time was Mr. Wells, the agent, absent?—He was absent from my house at that time.

5156. When the time came for the money to be paid, do you know whether Mr. Wells was at home or not?—I do not.

5157. At any rate, did you pay that money?—I did.

5158. Did you afterwards receive back the money from anyone?—I believe I did.

5159. From whom?—I think I did from Mr. Wells.

5160. Do you recollect what was the amount?—I do not.

5161. It was three flys for the day?—No, not for the whole day.

5162. About what was it?—Really I cannot say.

5163. For what purpose were they wanted?—To take the canvassing party over to Tovell.

Cross-examined by Mr. *Hill.*

5164. It was some time when Lee and Whatman and you went out canvassing into a country district?—Yes.

5165. You had three flys, and you went with the flys all full?—Yes.

5166. Do you recollect the sum of money?—No.

5167. Do you know by whom it was repaid?—I believe by Mr. Wells.

5168. You

Mr. *J. Swinfen.*

20 April 1866.

5168. You have had a good deal to do with elections?—Yes.

5169. You were present at most of the meetings at the "Bull"?—Yes.

5170. And generally made yourself busy in the election?—Yes.

5171. With the election, 1859, you had something to do also?—Yes.

5172. That was conducted altogether on pure principles, was it not?—I believe it was.

5173. You were one of the persons mentioned in the petition as a person who had bribed in the pure election?—I have no recollection that I was.

5174. And also keeping a voter out of the way?—I have no recollection of it.

5175. Was not the Speaker's Warrant issued to you to bring up a man of the name of Lingan, and was there not a charge against you for keeping him out of the way?—I do not know that there was; I have no recollection of anything of the sort.

5176. Were you charged at the election of 1859 with bribing a man of the name of Lingan, a milkman?—I do not think I was.

5177. Can you swear you were not?—I have no recollection of it; I have no recollection of being charged with bribery.

5178. You may have done it, and may have forgotten it?—I have no recollection of it.

5179. Your memory is so very weak as that?—No; I do not consider my memory weak.

5180. Do you know whether Lingan did attend in accordance with the Speaker's Warrant?—I do not know.

5181. Were you in one of the committee-rooms upon it?—I was.

5182. And were you examined as a witness?—I think I was.

5183. And you have forgotten whether there was a man of the name of Lingan at all?—I really have; I do not know what I was examined upon.

5184. Were you charged with bribing?—I do not think I was charged with bribing anyone; I do not recollect what it was.

5185. Will you tell me what it was you attended before the Committee for upon the election in 1859?—I am sure I do not recollect at all.

5186. *Non mi ricordo* altogether?—Perhaps if I had been aware that you were going to ask me this I might have been able to tell you.

5187. There was a petition in 1857 against Hope and Scott?—There was.

5188. You were a witness upon that?—I think I was.

5189. You were taking a good deal of trouble in the canvassing in July 1865?—Yes.

5190. And went to see several of the voters, did you not?—Yes.

5191. And you knew Kirby very well before this time?—I did.

5192. I think, as far as we go, you agree with everything that Kirby has said, but you only deny the words spoken; you allow you met Kirby?—Yes.

5193. And certain conversation passed between you, but you deny the words which my friend put to you as the works spoken?—Yes.

5194. When you canvassed Kirby for Lee and Whatman, what was it he said to you?—I recollect some part of the conversation, and such as I do recollect I shall have much pleasure in telling you.

5195. That is exactly my question?—I asked him if he would oblige me by giving me a promise to vote for Messrs. Lee and Whatman, and he said he was either in a situation as gardener, or was about to leave a situation as gardener to the Rev. Mr. Hawley, of Leybourn; and he had not made up his mind what he should do, but most likely he should vote for the Liberal candidates.

5196. He spoke to you of his circumstances, and his probability of being out of employment?—Yes, he did.

5197. And that was in reply to your asking him for his vote?—Yes.

5198. That was a decided answer to your question?—Yes.

5199. You asked him for his vote, and he said he was out of employment?—Yes.

5200. Having given that as an answer, what was your reply to him?—I do not think any other conversation passed between us.

5201. Then all you said was, "Will you vote for Lee and Whatman," and he said "I am out of employment"?—He did not state, that I know of, that he was out of employment.

5202. "I have left my situation"?—I do not know whether he said he was out of a situation, or was going shortly to leave.

5203. You do not recollect his reply?—I made no reply to it.

5204. Can you swear that you did not make any reply at all?—I left him there, and went away upon the business that I was on.

5205. Now, really, do you carry on conversation in the same way at Maidstone as people do in other parts?—I believe wo do.

5206. Was it thus: "Will you vote for Lee and Whatman;" and he said "I am at present leaving my situation as gardener to the Rev. Mr. Hawley"; and was that all?—He said he should most likely vote for the Liberal party.

5207. Is that what you call energetic canvassing?—Yes.

5208. When did you next see Kirby?—I cannot answer that question.

5209. Did you ever see him again before the election?—Not to the best of my recollection.

5210. How long was that before the election?—I should say, perhaps, two or three days; I am not sure; it was near the time of the election; I know I was canvassing at that time.

5211. Do I understand you to say that, with your inaccurate recollection, you will swear that the words were not that you said, "If a man is short of money," or "If a man is short of means"?—I will swear that I never said any such thing.

5212. Did you enter his name down in any canvassing book at that time?—I did not.

5213. Had you a canvassing book with you?—I think it is very likely that I had.

5214. In fact, you generally went about with a canvassing book; did you write against him "doubtful"?—He was not in my district.

5215. Did you report him?—I did not make any report of it; it was only a casual meeting.

5216. That being so, as he was not in your district, what made you canvass Kirby?—Because I met him in the street.

5217. And you took no trouble to enquire in the district were he resided as to what his vote was likely to be?—I think it is very likely I did, but I have no recollection as to what became of it afterwards;

afterwards; nothing more than I understood he had voted for the Conservative party.

5218. Now, your recollection is not very accute, I suppose, as to the words spoken upon that as upon other occasions? — I believe the words I have given you are as near the truth as possible.

5219. Let us come to Swan, if you please; where did you see Swan on that morning first? —I never recollect seeing him on the morning of the election at all.

5220. Do you swear you did not see him?—To the best of my recollection I never saw him till after the election.

5221. Where were you about half-past nine o'clock on that day?—I was up the Sandling Road.

5222. Do you know a person of the name of Misson?—I do.

5223. He was a person busy about the election?—Yes.

5224. What circumstances is he in?—He is a man of very low circumstances.

5225. A man that is in great penury?—No.

5226. A person that has barges?—I have been told that he has a barge, but whether it is his own property, or whether he hires it, I do not know.

5227. Have you seen Misson since he went out of the room?—Yes.

5228. Then I will not ask you any more about him; now I will ask you will you swear you did not see Swan on that morning?—I have no recollection of seeing Swan till he came to me after the election.

5229. Will you swear you did not see him the morning of the election?—I certainly swear I have no recollection of it.

5230. May you have seen him and forgot it?—I do not think I should forget it.

5231. Do you think Misson is wrong when he says you and Swan and he saw one another on that morning; that Misson was speaking to you and pointed Swan out to you; is that true or untrue?—I do not recollect it.

5232. If Misson has said that, is it false or true?—I could not say.

5233. Is your memory of what took place that morning so very inaccurate that you cannot say whether it is false or true that Misson pointed Swan out to you as a voter, and not at present polled? —I have no recollection of the circumstance.

5234. Pointing Swan out to you, and that Misson said to you, "That is a man who must be looked after"?—I do not recollect that he did.

5235. Misson has said that, and I am quoting Misson's words as near as I can; will you say that that is true or untrue?—I will say that I have no recollection of anything of the sort.

5236. Is your memory with regard to what took place so very inaccurate and indefinite that you cannot give me a more accurate description than you have given of what took place between you and Misson on that morning?—It is.

5237. But it was after the election that Swan came to you and made some claim to some money, or put forward some claim to some money?— When I told him that I could do nothing for him in the way that he wished, he said to me, "Then you will give me what you promised me."

5238. What then?—I said, "Me promise you! I never promised you anything; I never saw you in my life before, to the best of my knowledge; you are quite a stranger to me; I do not know that you were a voter."

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5239. You did not recollect at that time that you had had him pointed out to you by Misson as a person to be looked after on that morning?— No.

5240. You recollect that no more than you recollect the promise that he alleged you made? —No.

5241. What did he say in reply to that?—I do not recollect that there was anything else said about it; nothing more than some customer came into my shop, and he bade me good morning or good afternoon, or what it was.

5242. That was the only time he came to you? —He came again a second time.

5243. How soon after?—In a few weeks after.

5244. How long after the election was the first visit?—Well, I really cannot say, but I should think about a fortnight.

5245. In about a fortnight he came the first time, and again in about a fortnight or three weeks after that?—It might have been three or four weeks.

5246. And he made the same claim again?— He asked me the same again, saying that Goodwin said what a praiseworthy thing it was, that something ought to be done for him, as on the first occasion.

5247. In fact, asking you whether you were going to pay him what you had promised?—No; he did not ask me that question again after I told him I could not make him any promise.

5248. Who is Mr. Goodwin?—Mr. John Goodwin, a builder, of Maidstone.

5249. Not Mr. Goodwin, the solicitor?—No.

5250. Is Mr. Goodwin one of your party?— He is.

5251. He came to you with a recommendation, as he alleged, from Mr. John Goodwin?—Yes.

5252. Were those the only two times he came? —He came a third time.

5253. And still alleged a promise by you to him?—No; he wished me to intercede with the Liberal party to get something for him.

5254. He referred to what had before taken place?—No, he did not.

5255. Did you or Mr. Goodwin know him the better of the two?—John Goodwin.

5256. Is Goodwin, also, a person who takes considerable interest in the Liberal party?— He is.

5257. Will you explain this: if he knew John Goodwin better than he knew you, and John Goodwin is an equally leading man with the Liberal party, why did he come to you if you had given him no more promise than John Goodwin had?—I cannot say why it was; I cannot explain that; he might have thought that I had more interest perhaps than Mr. Goodwin with the Liberal party.

5258. He came to you, although you did not even know him by sight?—He came to me, although I had not seen him till after the election.

Re-examined by Mr. *James.*

5259. After the first occasion, did he ever assert that you made him any promise?—No.

5260. I suppose you cannot say whether Misson pointed out this man or any other man?—No.

5261. On your oath, did you promise him any sum of money, or look after him?—No.

5262. By the *Committee.*] Did you make him any promise, directly or indirectly?—No.

Mr. *J. Swinfen.*

20 April 1866.

5263. Mr. *James.*] You have spoken of keeping canvassing books; I believe those were slips for your own ward; the canvassing books were kept by Mr. Wells?—Yes.

5264. By the *Committee.*] A mere list of the voters?—Yes; occasionally we took names from slips, and went in a different direction from what we otherwise should.

5265. Jesse Kirby told the Committee that you had said to him, that if he could get any voters for the Blues, and they were short of any rent, you would see it was paid up; is that true?—It is not true; it is very false.

5266. You never said anything of the kind?—No, neither to him nor to any other man.

5267. You said as to 1859 you have no recollection as to whether you were summoned upon the Parliamentary Committee for bribery. I suppose if the case had been proved against you, you would have recollected it?—Yes.

5268. You will swear that no case was proved against you?—I never had any case proved against me.

5269. You swear that?—Yes; to the best of my recollection on that petition, I was served with a summons, after I came up here for the other party. I forget the circumstances of the petition. I know there was nothing proved against me of any description.

5270. Petitions are common at Maidstone after an election?—They have been recently.

5271. Were there any before 1857?—I think there was before 1857; there was a petition against the return of Mr. Dodd, and I think that must have been 1852.

Mrs. FANNY CLARKE, was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

Mrs. *F. Clarke.*

5272. ARE you the wife of Mr. William Clarke, who keeps a beer house at Maidstone?—Yes.

5273. Do you know a man of the name of Jonathan Pearson?—Yes.

5274. Some time before November last, had he a score at your husband's house for beer?—He had.

5275. Was a man of the name of Jesse Kirby also a customer?—Yes.

5276. And was he frequently at your house?—Yes.

5277. On one occasion, in November, do you recollect Pearson coming to your house and asking for Kirby?

Mr. *Price* objected to evidence as to whether Kirby paid a beer score of Jonathan Pearson, because it did not affect the merit of the petition.

Mr. *James* was heard in support of the evidence.

Mr. *Price* and Mr. *Staveley Hill* were heard in reply.

The *Chairman* said the Committee were of opinion that it was not worth while to pursue this head of evidence.

Mr. *James* said with that intimation from the Committee, he should not press it.

Adjourned till To-morrow, at 12 o'clock.

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PROCEEDINGS OF THE COMMITTEE.

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I N D E X.

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TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

MAIDSTONE ELECTION PETITION.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
23 *April* 1866.

201—I.

Under 2 oz.

NORTHALLERTON ELECTION.

MINUTES OF EVIDENCE

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SELECT COMMITTEE

ON THE

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WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
1 *May* 1866.

Friday, 20*th April* 1866.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Northallerton:—

William Davenport Bromley, Esq.	The Right Hon. Sir William Hutt.
The O'Conor Don.	The Hon. Percy Wyndham (Cumb. W).

GEORGE SCLATER-BOOTH, Esq., Chairman.

Monday, 23*d April* 1866.

Ordered, THAT the Petition and Lists relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Eleven of the clock.

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REPORT.

NORTHALLERTON ELECTION COMMITTEE.

Monday, 30*th April* 1866.

THE HOUSE informed, that the Committee had determined,—

That Charles Henry Mills, Esq., is not duly elected a Burgess to serve in this present Parliament for the Borough of Northallerton.

That the last Election for the said Borough is a void Election.

The House further informed, that the Committee had agreed to the following Resolutions:—

1. That Charles Henry Mills, Esq., was, by his Agent, guilty of bribery at the last Election for the Borough of Northallerton.

2. That it was proved to the Committee that at the last Election for the Borough of Northallerton, Thomas Fowle, the Agent of the said Charles Henry Mills, offered Thomas Lightfoot a valuable consideration to influence his vote.

3. That it was also proved to the Committee that at the last Election for the Borough of Northallerton, Thomas Fowle, the Agent for the said Charles Henry Mills, offered James Archer a valuable consideration to influence his vote.

4. That it was not proved to the Committee that the aforesaid acts of bribery were committed with the knowledge and consent of the said Charles Henry Mills.

5. That it was not proved to the Committee that treating or other corrupt practices prevailed extensively at the last Election for the Borough of Northallerton.

PROCEEDINGS OF THE COMMITTEE.

Tuesday, 24 *April* 1866.

NAMES of the Members called over;—all present.

Room cleared.

The Committee deliberated, and agreed to the following preliminary Resolutions:—

1. That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. That if costs be demanded by either party, under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. That the Committee expect that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the sitting Member or his agents, the Counsel for the Petitioners will now state the names of the electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered so to do.

4. The Committee, however, reserve to themselves a power, upon the special application of counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

5. That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. The Committee, however, reserve to themselves a discretionary power, as in the cases of bribery.

8. That no person shall be examined as a witness who shall have been in the room during any of the proceedings (with the exception of the agents, sitting Member, and Petitioner, whose names shall be handed in) without the special leave of the Committee.

9. That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. That the Committee will follow the practice of the courts of law with regard to speeches, as laid down in Section 18 of the Common Law Procedure Act, 1854.

12. That if the leading Counsel are not prepared to sum up the case on either side when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent.

13. That with respect to objected votes, the Committee expect Counsel to exhaust one class of objections before proceeding to another.

Parties called in, and informed of the above Resolutions.

The Petition of *Jasper Wilson Johns*, complaining of an undue election and return for the Borough of Northallerton, and praying for the seat, was read.

Counsel for the Petitioner:—Mr. Serjeant *Ballantine*, Mr. *Henry James*, and Mr. *Day*.

Agents:—Messrs. *Wyatt & Metcalfe*.

Solicitor:—*Joseph Dodds*.

Counsel for the Sitting Member:—*Charles Henry Mills*, Esq., Mr. *Rodwell*, Q.C., Mr. *Price*, Q.C., and the Honourable *Robert Bourke*.

Agents:—Messrs. *Baxter, Rose, & Norton* and Messrs. *Fowle & Fowle*.

Mr. *Henry James* was heard to open the case on the part of the Petitioner.

The Short-hand Writer was sworn by the Chairman.

J. R. Naylor,

J. R Naylor, from the office of the Clerk of the Crown, sworn; examined by Mr. *Henry James*; produced writ and return, and handed in two poll-books of the last election.

William Thrush Jefferson, sworn; examined by Mr. *H. James*; handed in the register of the voters of the Borough of Northallerton, and 13 bills and vouchers connected with the last election; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Henry James*.

Thomas Holmes, sworn; examined by Mr. *Henry James*; cross-examined by Mr. *Price*; re-examined by Mr. *Henry James*; cross-examined by Mr. *Price*.

Thomas Holmes (the currier), sworn; examined by Mr. *Henry James*.

John Wetherall, sworn; examined by Mr. *Henry James*; cross-examined by Mr. *Price*; re-examined by Mr. *Henry James*.

Maria Metcalfe, sworn; examined by Mr. *Henry James*; cross-examined by Mr. *Price*; re-examined by Mr. *Henry James*.

John Clay, sworn; examined by Mr. *Henry James*; cross-examined by Mr. *Price*; re-examined by Mr. *Henry James*.

Martha Clay, sworn; examined by Mr. *Day*; cross-examined by Mr. *Price*.

Benjamin Carr, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Price*.

John William Robinson, sworn; examined by Mr. Serjeant *Ballantine*.

[Adjourned till To-morrow, at Eleven o'clock.

Wednesday, 25th April 1866.

NAMES of the Members called over;—all present.

Joseph Hainstock, sworn; examined by Mr. *Day*; cross-examined by Mr. *Price*.

John Clay, sworn; examined by Mr. *H. James*.

The Committee resolved that *John Clay* was bound to produce the inn account books in use at the time of the last election.

William Long, sworn; examined by Mr. *H. James*; cross-examined by Mr. *Price*.

John Thornton, sworn; examined by Mr. *H. James*.

Susanna Martin, sworn; examined by Mr. *H. James*.

Richard Wood, sworn; examined by Mr. *H. James*.

Ellen Johnson, sworn; examined by Mr. Serjeant *Ballantine*.

Richard Wood recalled, and examined by Mr. Serjeant *Ballantine*. On Witness being questioned as to the statement made to him by *Ellen Johnson*, respecting the making out a bill, Mr. *Rodwell* objected to the question. Mr. Serjeant *Ballantine* was heard against the objection.

The Committee deliberated, and decided that the question could not be put.

Thomas Johnson, sworn; examined by Mr. Serjeant *Ballantine*.

William Brown, sworn; examined by Mr. Serjeant *Ballantine*.

Thomas Lightfoot, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Price*; re-examined by Mr. Serjeant *Ballantine*.

Jane Lightfoot, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Price*; re-examined by Mr. Serjeant *Ballantine*.

Mary Lightfoot, sworn; examined by Mr. *H. James*; cross-examined by Mr. *Price*; re-examined by Mr. *H. James*.

James Lightfoot, sworn; examined by Mr. *H. James*; cross-examined by Mr. *Price*.

[Adjourned till Tomorrow, at Eleven o'clock.

Thursday, 26th April 1866.

NAMES of the Members called over;—all present.

Benjamin Carr, sworn; examined by Mr. *H. James*; cross-examined by Mr. *Price*; re-examined by Mr. Serjeant *Ballantine*.

John Thompson, sworn; examined by Mr. Serjeant *Ballantine*.

Mr. *Price* objected that the name of this Witness was not distinguished upon the bribery list by the number of his vote upon the register, so as to identify him from other voters bearing the same name.

Mr. Serjeant *Ballantine* was heard in reply. Room cleared. The Committee deliberated.

Resolved, That the requirements of the third preliminary Resolution, in the case of John Thompson, have not been sufficiently complied with, and that the case cannot now be entered into.

Parties called in, and informed of the above Resolution.

James Archer, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Price*; re-examined by Mr. Serjeant *Ballantine*.

Elizabeth Archer, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Price*; re-examined by Mr. Serjeant *Ballantine*.

Mark Jobling, sworn; examined by Mr. *H. James*; cross-examined by Mr. *Price*; re-examined by Mr. Serjeant *Ballantine*.

Isabella Jobling, sworn; examined by Mr. Serjeant *Ballantine*.

William Ewbank, sworn. Mr. *Price* made the same objection that had been raised when John Thompson was tendered as a witness, and which the Committee had decided to be a valid objection.

Mr. Serjeant *Ballantine* applied for leave to amend the bribery list by adding the proper number to William Ewbank's name.

Mr. *Price* was heard against the application.

The Committee deliberated. The Chairman informed the parties that the amendment of the bribery list, applied for on behalf of the petitioner, would be permitted by the Committee in such a manner as would not cause injustice to the Sitting Member; and that the Committee would suffer the examination of William Ewbank to be proceeded with at the end of the petitioner's case, if no sufficient reason was shown to the contrary.

Richard Wilson, sworn; examined by Mr. *Day*.

Mr. *Price* objected to any question being put to witness tending to show that Shaw had offered a bribe, because Shaw's name was not inserted on the bribery list.

Mr. Serjeant *Ballantine* was heard in reply.

The Committee deliberated.

The Chairman announced to the parties that no evidence must be adduced touching Shaw.

Matthew Hurd, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Price*.

George Butterfield, sworn. Mr. *Price* objected that this witness's name was not in the bribery list. Objection allowed.

William Holt, sworn; examined by Mr. Serjeant *Ballantine*; re-examined by Mr. *Price*.

Thomas Hoods, sworn; examined by Mr. Serjeant *Ballantine*.

On application by the Counsel for the Petitioner for an adjournment of the Committee, the Chairman intimated that the Petitioner's case must be considered as closed, if there were no more witnesses to tender on his behalf.

The Counsel for the Sitting Member announced that he should not call witnesses in support of his case.

[Adjourned till To-morrow, at Eleven o'clock.

Friday, 27th April 1866.

NAMES of the Members called over;—all present.

Mr. Serjeant *Ballantine* was heard to sum up the evidence on the part of the Petitioner.

Mr. *Price* was heard on behalf of the sitting Member.

Room cleared. The Committee deliberated.

Motion made, and Question proposed, "That it has been proved by evidence that at the last election for Northallerton, Thomas Fowle, the agent of the sitting Member, offered Thomas Lightfoot a valuable consideration to influence his vote."—(Sir *William Hutt*).—Question put.—The Committee divided:

Ayes, 3.	Noes, 2.
Mr. Percy Wyndham.	Mr. Davenport Bromley.
Sir William Hutt.	Mr. Sclater-Booth.
The O'Conor Don.	

Resolved,—"That it has been proved by evidence that at the last election for Northallerton, Thomas Fowle, the agent of the sitting Member, offered Thomas Lightfoot a valuable consideration to influence his vote."

Motion made, and Question proposed, "That it has been proved by evidence that at the last election for Northallerton, Thomas Fowle, the agent for the sitting Member, offered James Archer a valuable consideration to influence his vote."—(Sir *William Hutt.*)—Question put.—The Committee divided:

Ayes, 3.	Noes, 2.
Mr. Percy Wyndham.	Mr. Davenport Bromley.
Sir William Hutt.	Mr. Sclater-Booth.
The O'Conor Don.	

Resolved,—"That it has been proved by evidence that at the last election for Northallerton, Thomas Fowle, the agent for the sitting Member, offered James Archer a valuable consideration to influence his vote."

Motion made, and Question proposed, "That Charles Henry Mills, Esq., is not duly elected a Burgess to serve in this present Parliament for the Borough of Northallerton."—Question put.—The Committee divided:

Ayes, 3.	Noes, 2.
Mr. Percy Wyndham.	Mr. Davenport Bromley.
Sir William Hutt.	Mr. Sclater-Booth.
The O'Conor Don.	

Resolved,—"That Charles Henry Mills, Esq., is not duly elected a Burgess to serve in this present Parliament for the Borough of Northallerton."

Resolved,—"That the said Charles Henry Mills, Esq., was, by his agents, guilty of bribery at the last election for the Borough of Northallerton."

Resolved,—"That it was not proved to the Committee that treating or other corrupt practices have prevailed extensively at the last election for the Borough of Northallerton."

Parties called in, and informed of the above Resolutions.

The Counsel for the Petitioner made application for the adjournment of the Committee for the purpose of proceeding with a scrutiny.

[Adjourned till To-morrow, at Eleven o'clock.

Saturday, 28th April 1866.

Names of the Members called over;—all present.

The Counsel for the Petitioner stated that it was not his intention to proceed with a scrutiny.

Room cleared. The Committee deliberated.

Resolved,—

"That the last election for the Borough of Northallerton is a void election."

"That it was not proved to the Committee that the aforesaid acts of bribery were committed with the knowledge and consent of the said Charles Henry Mills, Esq."

Ordered, To Report the above Resolutions to The House.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Tuesday, 24th April 1866.

MEMBERS PRESENT:

William Davenport Bromley, Esq.	Right Honourable Sir William Hutt.
The O'Conor Don.	Honourable Percy Wyndham.

GEORGE SCLATER-BOOTH, Esq., in the Chair.

The petition of Jasper Wilson Johns, complaining of an undue return at the last election for the Borough of Northallerton, was read.

Mr. Serjeant *Ballantine*, Mr. *Henry James*, and Mr. *Day*, appeared as counsel for the petitioner.

Messrs. *Baxter*, *Rose*, and *Norton*, and Messrs. *Fowle* and *Fowle*, appeared as agents.

Mr. *Rodwell*, Mr. *Price*, and the Hon. Mr. *Bourke*, appeared as counsel for the sitting members.

Messrs. *Wyatt* and *Metcalfe* appeared as agents.

The committee-room was cleared.

After a short time, the counsel and parties were called in, and informed by the Chairman that the Committee had passed the usual resolutions.

Mr. *Henry James* was heard to open the case on behalf of the petitioner.

Mr. James R. Naylor was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

Mr. *J. R. Naylor.*

24 April 1866.

1. You are a clerk of the Crown, the gentleman who has the custody of the returns?—Yes.

2. Will you produce the return for the Borough of Northallerton at the last election?—Yes. (*The return was handed in.*)

3. Will you produce also the poll-books?—Yes. (*Producing them.*)

[The Witness withdrew.

Mr. William Thrush Jefferson was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

Mr. *W. T. Jefferson.*

4. Are you the High Bailiff and Returning Officer for the Borough of Northallerton?—I am.

5. You have a copy of the Register of voters upon which the election took place?—Yes. (*Handing it in.*)

6. Have you also a document, signed by Mr. Mills, appointing Mr. Thomas Johnson his election agent?—I have two such appointments, "Agent for Election Expenses," "Agent for Election Expenses," both signed by Mr. Mills. (*The paper was handed in.*)

7. By the *Committee.*] Do they refer to the same person?—Both refer to the same person. One is held by the agent for election expenses, and the other is sent to me as returning officer. It is a duplicate; not quite a duplicate.

8. Mr. *James.*] Do you also produce a statement of election expenses and vouchers?—Yes.

9. The detailed statement of accounts, which ought to be delivered within two months, was not delivered until some time after, was it?—It was not delivered within the time.

10. And when delivered, it was not signed?—It was not. The first was not.

11. Did you, therefore, return it to Mr. Johnson?—I informed Mr. Johnson I had not received the statement right.

12. Did you, then, receive a second one?—I have received a second one.

13. Who brought that to you?—Mr. William Fowle.

14. Is he a son of Thomas Fowle?—Yes, he is.

15. Whose handwriting is the detailed account in?—In the handwriting of Mr. William Fowle.

16. What is Mr. William Fowle? what business is he?—He is a solicitor.

17. In partnership with his father?—Yes.

18. Will you be good enough to separate from these lists the documents which are in the handwriting of Mr. William Fowle; and be good enough

Mr. *W. T. Jefferson.*

24 April 1866.

enough to put them in separate bundles, those written by Mr. Fowle and those written by others?—(*The witness did so*).

19. Will you put your initials, or some mark on the back of those that are in Mr. Fowle's handwriting?—(*The witness did so*).—These are Mr. William Fowle's.

20. Now, hand the other in, if you please?—(*The witness did so*).

Cross-examined by Mr. *Rodwell.*

21. You say that these returns were not delivered in on the very day they should be; how many days afterwards?—I received them on the 21st of September.

22. What day ought they to have come?—They ought to have come in on the 13th of September.

23. You received them unsigned?—I received the accounts unsigned, but not the statement.

24. Before the 13th you received it?—On the 13th I received it.

25. How long did you keep it?—I have it yet.

26. When did you send to Johnson about it, soon afterwards?—On the 14th.

27. And you got it?—Yes, I got it on the 21st.

Re-examined by Mr. *James.*

28. Did you receive the detailed statement required by the Statute before the 13th?—No.

29. You received those vouchers, when?—On the 13th.

30. Signed or unsigned, when did you receive the detailed statement?—On the same day.

31. And the proper signed one on the 21st?—Yes; the unsigned one on the 13th, and the signed one on the 21st.

[The Witness withdrew.

THOMAS HOLMES was called in; and, having been sworn, was Examined by Mr. *James,* as follows:

T. Holmes.

32. HAVE you been in the habit of acting as assistant waiter at the "Golden Lion"?—Yes.

33. At other times, besides the election times, do you sometimes wait there?—Yes, I do.

34. Were you employed there at the time of the election in July of last year?—Yes, I was.

35. About how long before the election did you go there?—I think on the day before.

36. And not until that time?—No.

37. And how long did you continue to wait there?—I was waiting there part of the nomination day.

38. And then on the polling day?—Yes, sir.

39. The whole of the time?—I think all day on the polling day.

40. Was the "Golden Lion" Mr. Mill's committee-room?—Yes.

Mr. *Rodwell* suggested that something might turn upon the form in which this question had been put.

41. Mr. *James.*] Were there rooms at the "Golden Lion" occupied as committee-rooms for Mr. Mills?—Yes, there was one.

42. Was there anything put upon that door? anything written on it or printed?—No, I do not know that there was.

43. Were there any other rooms occupied either by Mr. Mills or by any persons on his behalf?—There was, in most of the lower rooms. Mr. Mills' friends were there.

44. Did you see Mr. Mills there himself on the nomination and polling day?—Yes, I did see him there.

45. Was he stopping at the house or not?—Yes.

46. Sleeping there, I mean?—Yes, I expect so.

47. He had his private sitting room, I suppose?—Yes.

48. Did you see Mr. Fowle there?—Yes.

49. Mr. Thomas Fowle?—Yes.

50. And Mr. William Fowle?—Yes.

51. Did you see a person there by the name of William Thompson Cade?—Yes, Thompson William Cade.

52. Did you see Mr. Miles Soppett?—Yes.

53. Who else did you see there who were voters? do you know Mr. Smith Leing, junior?—Yes, I know him.

54. Was he there?—I believe he was.

55. Who else did you see there in the committee-room; voters, of course?—I cannot remember; I was not much in there.

56. Cannot you give me the names of anyone else; just think; the names of anyone whom you saw there on the nomination-day; my friend objects to my putting the names to you?—I really cannot say.

Mr. *Rodwell* consented that the witness should be led with regard to the names.

57. Mr. *James.*] Have you been at Fowles' office lately, at Northallerton?—Yes.

58. When were you there?—Three or four days ago.

Mr. *James* asked to be allowed to lead the witness in his examination, on the ground that he had been in communication with the other side.

Mr. *Rodwell* objected.

After some discussion, the examination was proceeded with.

59. Mr. *James.*] At all events, I have the permission of my friend to ask the names of some of the persons you saw there; did you see a person of the name of William Oliver?—Yes.

60. George Oliver?—Yes.

61. Abraham Heugh?—Yes.

62. William Britten?—Yes.

63. George Chapman?—I cannot be certain.

64. John Clay?—Yes.

65. William Cooper?—Yes.

66. Josiah Snowdon?—I cannot say.

67. William Yeoman?—No, I never saw him.

68. Thomas Simpson?—I do not think I know the man.

69. Thomas Simpson, of Brompton?—I do not remember.

70. And James Pearson?—I do not remember seeing James Pearson.

71. Did you see Thomas Atkinson there?—No, Sir.

72. Did you see William Atkinson?—No, not that I remember.

73. A man of the name of Hewson Jackson?—Yes.

74. Thomas

74. Thomas Wetherall?—I do no remember.

75. A joiner?—Yes; I know the man.

76. Was he there?—No.

77. Thomas Reed?—No.

78. James Holmes?—No.

79. Or Henry Smith, of Brompton?—I do not remember seeing him.

80. Have you told me all the people you can recollect out of these many that were there?—I remember George Denning.

81. Do you remember anybody else?—I do not know of anybody else.

82. When did you go to Mr. Fowle's office?—I am sure I do not know.

83. Look at me, if you please, and not at Mr. Fowle?—

Mr. *Rodwell.*] He is not looking at Mr. Fowle.

84. Mr. *James.*] I say that the witness was distinctly looking in the direction of Mr. Fowle; when did you go to Mr. Fowle's?—Three or four days ago; I do not know the day.

85. Was it evening or morning when you went?—It was in the evening.

86. Were there other people there besides yourself?—There was William Oliver and George Oliver.

87. Anybody else?—Nobody else.

88. Were there any persons that had been waiters at all at the hotel?—There were not any when I was there.

89. Did Mr. Fowle read anything over to you?—No, he did not.

90. What did he say?—Well, he said he did not want to intimidate me in what I had to say here.

91. By the *Committee.*] Which Mr. Fowle was it?—Mr. William Fowle.

92. Mr. *James.*] Yes; go on; what else did he say?—Well, he said what I had to say I was to say right; he did not wish me to say anything wrong.

93. You have told somebody you know what Mr. Fowle did say to you; you have given an account of it?—

Mr. *Rodwell* objected to the question on the ground that Mr. James was endeavouring to represent the witness as a hostile witness, in order to lead him.

The Witness was ordered to withdraw.

Mr. *James* was heard in support of the question.

Mr. *Rodwell* was heard in reply.

The *Chairman* stated that the Committee were of opinion that the witness had given his evidence very fairly, and they at present saw no reason to consider him as a hostile witness.

The Witness was re-called.

94. Mr. *James.*] When you were at the "Golden Lion," on the nomination night and on the polling day, did you see drink supplied to the different people who were there?—Yes.

95. Did you supply drink to different people?—Yes, I did.

96. What sort of drink; brandy, and that kind?—I dare say all kinds.

97. What was your principal employment there, was it the selling of this liquor?—Yes; and I was doing whatever there was to do.

98. In what room were you waiting?—I think, in all the rooms in the house.

99. What rooms were occupied by the people who were drinking?—Most of the lower rooms in the house, on the ground floor.

100. Were they private rooms, or coffee rooms, or what?—No, they were all public rooms, I think.

101. What public rooms have you at the "Golden Lion"?—There are five.

102. Were those occupied by persons who usually come there when there are not election times?—Yes, I have seen several of the parties there.

103. Have you seen them all there, or were they mostly there for electioneering purposes?—Yes.

104. Were there other persons who were voters of Northallerton there?—I cannot say; the rooms were open for everybody; most likely there would be.

105. Were these rooms generally used as public rooms, or only on that occasion?—They always are.

106. These five rooms; of course they were different from Mr. Mill's private room and the other private sitting rooms?—Yes. If you will allow me to explain, I rather think what you are aiming at.

107. What do you say?—I think I know what you are inkling at; you think I am shuffling.

108. No, no; I beg your pardon?—You mentioned that before, and I will explain it now.

109. If you will answer my questions, and not make those observations that are quite uncalled for, we shall get on better: in these rooms, in all these five rooms, did you receive orders from the people?—Yes, or I should not have given any.

110. When you received those orders, did you execute them?—Yes.

111. And, I suppose, the two days of the election, you were pretty well employed in receiving orders and bringing up the drink?—Yes.

112. Who used to pay you when you brought up the drink?—Sometimes I got paid, and sometimes I did not.

113. Did you generally get paid, or not?—I got paid for a good deal, and there was a good deal I did not get paid for.

114. A good deal you did not get paid for?—Yes.

115. When you did get paid, did the person who gave the order pay you?—When I did get paid, yes.

116. The person who gave you the order paid you?—Yes.

117. And when you did not get paid, what became of the order?—I gave it in to the bar for the parties that did order it.

118. Who was the person to whom you gave it at the bar?—I remember Mr. Heugh, Mr. Cooper, and Mr. Oliver.

119. You misunderstand my question; this is it: I ask you, when you gave the order into the bar, to whom did you give the order?—Well, I cannot say, but I should say both to the barmaid and to Mrs. Clay.

120. What is the name of the barmaid?—Miss Medcalf.

121. Supposing a person said, "Now here, I want a glass of brandy and water, or a glass of gin and water, or a bottle of lemonade and brandy," would you go to Miss Medcalf, and say that he would give you the money?—Yes.

122. Then you would take it to the person, and not

T. Holmes.
24 April 1866.

not receive payment?—What drink I took that I did not get paid for was ordered by the parties I have mentioned. If anyone asked for a glass of brandy or any other thing I got paid for it at the time.

123. I am asking you about drink you did not get paid for; you have just given an answer that all you did not get paid for was ordered by certain persons?—To the best of my recollection.

124. Who gave you the orders that were not paid for?—Mr. Cooper, Mr. Heugh, and Mr. William Oliver.

125. Which Mr. Cooper is that, because there are two or three?—William Taylor Cooper, senior.

126. You know he is the land-agent for Mr. Mills, the sitting Member?—I do not know what he is.

127. What is he, what does he do?—He used to be a painter, and now he is doing nothing that I know of.

128. What is the name of the other gentlemen, the Christian names; which of the Olivers is it?—William Oliver.

129. There are two Heughs, too, which was this?—Mr. Abraham Heugh.

130. Did you get any orders from anybody else?—Not that I remember.

131. Did you not get any from Mr. Thompson William Cade?—Not that I remember.

132. When you got these orders from them, what name did you give in to the bar?—Those that ordered.

133. What was that?—The names of those that gave the order.

134. How much liquor do you think these three persons ordered, a small quantity or a large quantity?—Well, I took a good many glasses.

135. A couple of hundred, should you say, or anything of that kind?—I cannot say.

136. You cannot say whether it was a couple of hundred or not?—It was a good many; I cannot say how many.

137. You have been at the "Golden Lion" as a waiter before?—Several times.

138. Can you tell me, are there any books kept at the bar?—The only book I have seen is generally a book about this size (*pointing to a sheet of foolscap*), rather broader, and seemed to have ten or a dozen leaves.

139. Who keeps that book?—Miss Medcalf.

140. The landlady's name is Mrs. Clay?—Yes.

141. Does Mrs. Clay keep the book?—I do not remember ever seeing her write in it. I remember seeing her sit down to it, but I do not think I ever saw her write in it.

142. Who does?—Miss Medcalf.

143. You have never seen Mrs. Clay write?—I have seen her write, but I cannot say whether in that book or not.

144. Mr. Clay attends at the bar as well as Mrs. Clay and Miss Medcalf?—Yes, he does.

145. Did you ever see Mr. Clay make entries in the book?—No.

146. Was there a man of the name of Wetherall waiting at the "Golden Lion"?—Yes.

147. What was his Christian name, John?—Yes.

148. By the *Committee.*] Do you mean he was a waiter?—He is a shoemaker; he was waiting that time.

149. Mr. *James.*] I suppose he was taken on, as you were, as an assistant waiter?—Yes.

150. The name of the head waiter is Joseph Hamstock?—Yes.

151. Did those two serve drink also on these two days?—Yes.

152. I suppose, then, all of you were pretty busy, were you not?—Yes.

153. Did they serve drink in the same way as far as you know?—Yes, as far as I know.

154. On this night of the nomination day, was the house open late; what time did you close, do you recollect?—I am sure I cannot remember. It would be pretty late. It was dark at all events.

155. By the *Committee.*] What was the date of the nomination day?—

Mr. *James.*] Wednesday the 12th, and the polling day would be Thursday the 13th.

156. What time did you go away from there that night?—I cannot say. It was dark when I went. It would be pretty late.

157. Were you sleeping in or out of the house?—No, I never did.

158. Did you go home at all that night?—I am sure I do not know when it might be, but I did go home. It might be early in the morning, but I cannot say.

159. Whilst you were there, was the house pretty full?—Most of both days, for anything I know.

160. During the whole time, more or less, were people drinking while you were there?—Yes.

Cross-examined by Mr. *Price.*

161. The "Golden Lion," I think, is the chief inn at Northallerton?—Yes, you know that, Sir. We shall be glad to see you there again.

Mr. *Price.*] The Witness has waited on me very often, and a very civil man he is.

162. There are several public rooms on the ground floor?—Yes.

163. And there is a room, one room in particular, which is full almost every night?—Yes, the smoking room.

164. And there were a great number of people there, at this particular time, smoking and drinking?—Yes.

165. They were there during the election time as at other times, and perhaps in greater numbers?—Yes.

166. Most of them paid for everything they got?—A good many of them paid, and a good many did not.

167. Do you know of any instance where any man refused to pay, and the liquor was taken back?—No.

168. You did not see that happen?—No.

169. When you say that Joseph Hamstock, or whatever his name is, and this other man, served the same as you did, that is, they were taking in drink?—Yes, that is all I know.

170. Are you very clear you gave any orders of Mr. Cooper's that night?—Yes, I remember it very distinctly.

171. Was Mr. Cooper there drinking himself?—He did not drink much. I do not know that I saw him drink anything but some lemonade.

172. Who is Mr. Cooper; what is he?—He was formerly a painter. Now he is superintending a building about to be erected for Mr. Hodgson, but whether he is employed or not, I do not know.

173. Has

173. Has he no regular employment?—He is an auctioneer.

174. Mr. Abraham Heugh; can you say how many times you gave orders at the bar for him?—What I remember mostly is, I remember the men saying, Tell Mrs. Clay those are for me.

175. Who do you remember saying that?—All the three men, or words to that effect.

176. Mr. Cade never gave any orders at all?—Not that I remember.

Re-examined by Mr. *Henry James.*

177. Was there any room used as a committee-room upstairs?—Yes.

178. Which room was it?—That generally called No. 1.

179. Was that the general committee-room?—Yes.

180. The other five rooms were downstairs?—Yes.

181. Was there any doorkeeper of the committee-room upstairs?—Yes, his name is John Thornton.

182. Was any drink taken upstairs to the committee-room?—Yes.

183. Taken up by you?—Yes.

184. Were you always paid for what you took up to the committee-room?—No, I was not.

185. You heard me ask you in my examination as to some names of persons you gave us; did you see those persons in the committee-room?—No, not all in the committee-room. *T. Holmes.* 24 April 1866.

186. Did you see any of them in the committee-room?—Yes.

187. Who?—Mr. Clay, Mr. Cooper, Mr. Oliver, and I cannot tell you who else; several.

188. You saw Mr. ——; who?—Mr. Clay.

189. Well, go on?—Mr. Soffett.

190. Mr. Miles Soffett?—Yes.

191. The two Fowles?—Yes.

192. William Oliver?—Yes, and George Oliver too, and others.

193. Did you see young Mr. Smith Leing?—I do not know.

194. Mr. *Price.*] This committee-room, was it for Mr. Fowles' own use?—Yes.

195. It was his own private room?—Yes.

196. Did he occupy it for his own use?—Yes.

197. And any person who went to see Mr. Fowles on business went up there?—Yes.

198. Now, as to drink taken up there; Mr. Fowle had something to drink taken up there, I suppose?—Yes.

199. He did not pay you for what he had?—No; there is one thing I should like to mention, which it seems this gentleman wishes to show that I am shuffling.

Chairman: There is no occasion for you to go into that.

[The Witness withdrew.

THOMAS HOLMES was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

Mr. *James.*] We will distinguish this witness from one of the same name, by calling him Thomas Holmes the Currier. *T. Holmes.*

200-1. Are you a currier by trade?—Yes.

202. Living at Northallerton?—Yes.

203. Now, upon the Friday night before the election did you go to the "Golden Lion Inn"?—I did, on or about the Friday night before.

204. Who took you there?—A young man of the name of George Atkinson.

205. Did you see there a man of the name of Thompson?—Not that night.

206. Did you see William Cade there?—Yes.

207. Thomas Atkinson?—Yes.

208. William Atkinson?—Yes.

209. Hewson Jackson?—Yes.

210. Thomas Wetherall?—Yes.

211. Thomas Tweedy?—Yes.

212. And William Edward Reed?—I believe he were there, but I am not sure.

213. Were there others there besides those?—Yes; there were 10 or 12 altogether.

214. What room did you go into?—I went into the room at the right-hand side.

215. Do you know whether that is a public room or not?—I do not know. It is not oft that I go in.

216. Were you in the habit of going to the "Golden Lion"?—No.

217. You were not in the habit of going there to drink?—No.

218. Were these people you have mentioned voters?—Yes; they were all voters.

219. Can you tell me who else were there besides the men you have mentioned?—I cannot say. I did not take so much notice of the others.

220. You say these were voters: are you a voter?—No.

221. When you went in, did you have anything to drink?—Mr. Cade said to me and the other young men, "What are you going to have, young men?"

222. When he said that, were some of the people, who were in before you, drinking?—There was lemonade and brandy on the table at the time.

223. When Cade said that, did you have anything to drink?—I said I would have some whiskey, and the other young man said he would have some lemonade.

224. Were these things ordered for you?—Yes.

225. Who ordered them?—Mr. Cade.

226. Did you see any money paid?—No.

227. How long did you stop there?—About half-an-hour.

228. Did you have anything more to drink than this whiskey?—We all got up to go away, and Mr. Cade said, "Are you going to have any more?" Some of them said, "No, we are going home."

229. Then did some of them have some more?—No; there were some of them stopped.

230. My question was, did you have anything more except this one glass of whiskey?—No.

231. Did the other people have drink?—There was things came in.

232. Who ordered them?—Mr. Cade.

233. Did you see any money paid?—No.

234. Did you see any of those voters pay any money?—No.

235. Neither by them nor Mr. Cade; was there any money paid at that time?—No, Mr. Cade said they were to be "put up."

236. That is, the drink was to be "put up," or "scored down," is that what you mean?—Yes.

237. Who did he say that to?—To the waiter.

238. Did he say "Put them up to me"?—

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No; he didn't say who they were to be "put up" to.

239. Simply that they were to be "put up?"—Yes.

240. Did you go any other evening to the "Golden Lion"?—I went from the "Black Swan" to the "Golden Lion."

241. What night was that?—The evening before the election.

242. On the nomination night you went from the "Black Swan" where? Tell us about that?—There was some men taking a voter of the name of John Foster to the "Golden Lion."

243. Who was doing that?—Joseph Holt and others.

244. I think Mr. Holt is a solicitor, is he not?—Yes.

245. And he is returned as an agent for paying expenses; who else besides Mr. Holt?—I cannot say.

246. Did you go after this Foster to the "Golden Lion"?—I followed him down to the "Golden Lion" in the passage.

247. Did you go into the house?—We were in the passage then.

248. What was it occurred in the passage?—Mr. Fowle came out and said——

249. Is that the old gentleman, Mr. Thomas Fowle?—Yes.

250. Where did he come from?—I think he had been with Mr. Mills at the time.

251. From what part of the house did he come?—From a room adjoining the archway.

252. Is that downstairs or upstairs?—Downstairs.

253. What did Mr. Fowle say?—He said "Come and see Mr. Mill, John;" "Come and see Mr. Mill, John."

254. That is the ostler?—Yes.

255. What did the ostler do?—He replied he would not go.

256. Did he go of his own accord?—He did not go to see Mr. Mill.

257. Where did he go, upstairs?—I don't know.

258. Why did you say, he did not go to see Mr. Mill?—Because he did'nt.

259. Did you go upstairs?—No.

260. How did you know he did not see Mr. Mill?—Mr. Mill was downstairs.

261. Did you go into the house?—I saw my father in the passage, and he asked me if I was going to have anything to drink.

262. Did you go into the house and into the same room as on the Friday night?—Yes.

263. Was your father with you?—Yes.

264. His name is James Holmes?—Yes.

265. And Thomas Thompson, was he there too?—Yes.

266. Any one else?—Two young men.

267. Are your father and Thomas Thompson both voters?—Yes.

268. Did Holmes, the waiter, come into the room?—Yes.

269. Did anybody give any orders?—My father ordered two bottles of lemonade and brandy, and I said I should have a glass of ale; and there was another young man said he should have a glass of ale, and another young man said he should have a bottle of lemonade.

270. Did you pay anything?—Thomas Holmes said it was a bad job.

271. What did he mean by that?—He meant it was a bad order.

272. Did nobody pay anything?—No.

273. Were you asked for anything, any money, I mean?—No.

274. When this was said, "It was a bad job," what did you have?—I said to Thomas Holmes, "If it is a bad order, fetch me the same as the others."

275. That was lemonade and brandy?—Yes.

276. And you did not pay anything for it, nor did any of the others?—No.

277. Did you only have one glass, or did you have more?—I had two.

278. Did the others have any more?—Yes.

279. Did you have as much as you liked, as much as you wanted then?—They asked me if I would have more.

280. Who asked you if you would have more?—My father and Thomas Thompson; and I said "No."

281. During the whole of the time you were there, did your father or any one else pay any money?—No.

282. You spoke of the night before the election, that you went to the "Golden Lion," after you left the "Golden Lion" did you go to any other public house?—I called with Thomas Atkinson, George Atkinson, and I think there was somebody else.

283. You went down to the "King's Arms"?—Yes.

284. That is kept by George Chapman?—Yes.

285. Did you have something to drink there?—Yes.

286. All of you?—Yes.

287. One glass a-piece, or did you have more?—We just had one glass a-piece, and then went home.

288. Did you pay anything for it?—I never saw any money paid.

289. Did you pay any?—No, no one asked me.

290. Neither you nor anyone else was asked?—I do not know whether they asked anyone else; they never asked me.

291. What made you go there?—I was going with the intention of going home from the "Golden Lion." It was on the way home, and they made me go in.

292. Who was it that made you go in?—The party that I was with.

Cross-examined by Mr. *Price.*

293. How old are you?—Twenty last December.

294. You went with the Atkinsons, did you not?—Yes.

295. Are they about the same age?—I do not know, Sir.

296. They are young lads in Northallerton?—That young man I was with is rather older.

297. The landlord of the "King's Arms" is the uncle of the young Atkinsons, you were with?—Yes.

298. You had a glass of whiskey one night, and a glass of lemonade and brandy another night, and you did not pay for it?—No, Sir.

Re-examined by Mr. *James.*

299. Other people were drinking in the same way as you?—Yes.

[The Witness withdrew.

JOHN

JOHN WETHERALL was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

J. Wetherall.

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300. I BELIEVE you have not given your evidence to the gentlemen who are petitioners here?—No.

301. Have you been to Mr. Fowle?—Yes, I have.

302. When was that?—I am sure I cannot say exactly. It was the day I got the summons.

303. That would be in the month of March?—I believe it was.

304. That was the Speaker's warrant that you got?—Yes.

305. What did Mr. Fowle say to you?

Mr. *Price* objected to the question on the ground that what was said to Mr. Fowle ought not to be brought as evidence-in-chief.

Mr. *James* was heard in support of the question.

The *Chairman* stated that the Committee were of opinion that the question should not be put.

Mr. *James.*] My friend is arguing this point on the ground that Mr. Fowle did not take down his evidence.

Mr. *Price.*] I assume so.

306. Mr. *James to the Witness.*] Did you give your evidence to Mr. Fowle?—I went down of my own accord, and never said nothing to no one.

307. Did you give your evidence to Mr. Fowle?—No.

Mr. *James.*] That takes away the force of my friend's argument.

308-309. What did Mr. Fowle say to you?—He asked me if I knew anything about electioneering; I said, all I knew was, I was waiting there, that was all I knew.

310. What did he say then?—He said he never knew anything about it.

311. You have never given your evidence to Mr. Fowle?—I have never been to Mr. Fowle's office, or to any office but then.

312. You were a waiter at the "Golden Lion"?—Yes, I was one of them.

313. When did you go there?—I was there for the election.

314. How long before the election did you go?—Three days altogether.

315. Were you there on the nomination day?—The nomination day, and the polling day, and the day before the nomination.

316. That would be Tuesday, Wednesday, and Thursday?—Yes.

317. Did you serve the drink that was called for?—Yes, I served some drink.

318. If a person asked for drink, did you serve the order?—Yes.

319. You did?—Yes.

320. Which rooms were the persons in, to whom you served the drink?—There were two or three rooms, I could not say to one.

321. Was there a committee-room upstairs?—I was never in the committee-room.

322. Was there a room upstairs with the word "committee" outside the door?—I had nothing to do upstairs.

323. Were you ever upstairs in the room?—I might be upstairs, but I do not know.

324. Did you see the word "committee" on the door?—I could not say there was.

325. Have you forgotten it?—I could not say.

326. Do you know a man of the name of Thornton?—Yes.

327. Was he outside the door?—Yes.

328. Which door was that?—It was a door in the passage; the passage on the second landing.

329. What was the room used for?—It was used for commercial travellers.

330. Was it used for commercial travellers at the time of the election?—I cannot say whether it was or not.

331. Did you ever see Thornton keeping the door before?—No.

332. Who were those persons, were they strangers to Northallerton, or not?—There were those that belonged to Northallerton, and those that did not.

333. Those that belonged to Northallerton were not commercial travellers?—No.

334. Was not that the committee-room?—That would be, as far as I know, about a committee-room.

335. Were there five public rooms downstairs?—There would be about four.

336. What were they used for?—For drinking and for eating.

337. Were they Northallerton people who were there drinking?—There were different people besides Northallerton people.

338. Where did the others come from?—Brompton?—Brompton it might be; but I cannot say.

339. From all places round Northallerton?—Yes, there was people from all places, I cannot say particular.

340. Were some of those people voters?—Yes, they would be, and I knew them.

341. Do you recollect anyone who was there?—Yes, I might recollect some.

342. Tell me one or two who were there; some of the voters whom you knew?—I cannot say, but those I fetched liquor for.

343. Never mind that; did you know who they were that were in the room; were the two Olivers there?—Yes.

344. Was Mr. Cade there?—Yes.

345. Do you know old Mr. Fowle?—Yes.

346. Was he there?—I never see him in them rooms.

347. Did you see him upstairs?—Yes.

348. Where?—In the house. I have seen him going up stairs, but what room he went to I cannot say.

349. Is that William Fowle?—Yes.

350. Mr. Mill's room was upstairs?—Yes; I believe it would be, as far as I recollect.

351. Did you see Miles Soffett?—Yes.

352. Abraham Heugh?—Yes.

353. William Britten?—Yes.

354. George Chapman?—Yes; I know him, too.

355. Was he there?—Yes, a little of the time, not much.

356. Was Mr. Smith Leing, junior, about much; the gentleman from the linen factory, you know?—

J. Wetherall. —— 24 April 1866.

know?—I am sure I cannot say whether he was there or not.

357. Your duty was to execute orders when they were given to you, and take the drink?—Yes.

358. When anybody gave you an order, did you execute it?—Yes.

359. Were you always paid?—Nearly always.

360. Do you know a person of the name of Emmerson?—I know the name, William Emmerson.

361. You have talked to him about this?—Yes.

362. You adhere to that statement, nearly always?—Yes.

363. You do?—I know that I told Emmerson.

364. Upon your oath, was all the drink paid for?—I told Emmerson that I did not get paid for all the drink exactly.

365. Was all the drink for which you took orders paid for?—Not exactly.

366. What do you mean by "not exactly"?—I was sent in by two or three parties that treated them.

367. I will come to that by-and-bye?—They paid me for it.

368. You were not paid for all?—Not exactly for all.

369. What do you mean by "not exactly"?—Not when I first took it in, but I got paid afterwards.

370. When you went to the bar, you got no money?—I paid for it.

371. To whom did you pay?—Mrs. Clay.

372. Do you mean every glass of liquor you took from the bar you got paid for?—Not all quite.

373. Let us understand this: you had to go to the bar?—Yes.

374. You had not all the money paid at that time?—My own money I had.

375. Did you pay for it with your own money?—Not all.

376. Some of it you did not pay for?—I paid for some at the bar.

377. And some you did not pay for?—Yes; I paid for it afterwards.

378. Some you paid for at the time?—Yes; and I paid for the other when I got my money from the parties.

379. Some you did not pay for at the time you got it; did you leave any names at the bar, when you did not pay the orders?—No.

380. Did you put it in the book?—I should settle for it when I had my money; and the parties said they would pay for it.

381. Who did give you the money afterwards?—Mr. Abraham Heugh.

382. Who else?—George Oliver gave me money to pay afterwards.

383. The same day on which you gave the drink?—Yes.

384. Who else gave you any money?—I believe Mr. Soffett.

385. Is that Miles Soffett?—I believe it is.

386. Those are the only three you remember?—I believe they are.

387. Did Mr. Cade pay you any money?—No.

388. Did Mr. William Edward Reed?—Mr. Reed?

389. Yes, the gentleman who has the nickname "Ready-made Reed"?—No.

390. Did William Gratton give you any orders?—No.

391. Did anybody else, besides these three you have named, give you orders?—I do not think there was.

392. Do you mean to say you received payment for every glass of drink you served the same day?—I said I did not.

393. I asked you the same day you served it, just think, Mr. Wetherall?—Well, I could not exactly say I did, all.

394. And there was some you were not paid for at all?—There was some I did not get paid for, and others that I did.

395. Some that you have never been paid for?—I could not say; those I did not get paid for, I gave in to Mrs. Clay that she might look after it.

396. There is some liquor that you were not paid for the same day?—Yes, there was.

397. And some liquor that you have never been paid for?—What I did not get paid for I gave in to Mrs. Clay, so that I could not say whether Mrs. Clay got it or not.

398. As far as you have been concerned, you have not been paid for it?—No.

399. Whose names did you give into Mrs. Clay?—Well, I really cannot say who they were, there were so many of them.

400. Who were they?—There were so many that I could not say who they were.

401. So many that did what?—That gave orders.

402. And did not pay for them?—And did not pay for all.

403. So many that gave orders, and did not pay for all, that you cannot tell their names?—I could not say all, but those I did not get paid for I told missus.

404. Can you tell me one of the names?—I cannot say.

405. What did your missis do when you told her this?—I cannot say whether she put it in a book.

406. Was there a book there?—I never saw one.

407. Do you know Miss Metcalfe, the barmaid?—Yes.

408. Did you give her any names?—Those that I did not get paid for I told them.

409. Who was it you told that?—To them that got me it, Miss Metcalfe or Mrs. Clay.

410. Which was it?—I could not say; it was both of them.

411. You must tell me, did you give any names to Miss Metcalfe?—It might be to both. I should give the name to whoever got me the liquor.

412. Did you give names on the three days you were there?—No; it was only on the polling day. I did not get nothing to pay of those parties which treated the people on the polling day.

413. On the nomination day?—Not on the nomination day. I did not get any on the nomination day; this was the polling-day.

414. What do you mean; I think you are confused; I am sure I do not wish to confuse you; which was the day you did not get the money?—The polling day.

415. Did you always get paid on the nomination day?—Yes.

416. Every farthing?—I could not say exactly as far as that, at this time. There might or there might

might not be; I really could not say. I know there was on the polling day.

417. They did give drink, and did not pay you?—Mr. Oliver and them parties treated some.

418. You gave them the names of the persons that were treated?—Mr. Oliver said, "Let them persons have some liquor, and I will pay you for it."

419. But he did not pay you for it?—Oh, yes he did.

420. Was some liquor ordered which you did not get paid for?—I gave in the names to Mrs. Clay.

421. Whose names did you give in?—I could not say.

422. Mr. Oliver's name?—He paid me.

423. You did not give his name in?—No.

424. Whose names did you give in?—I really cannot say who they were now.

425. Cannot you tell me one name?—I cannot say it now; I know the parties who gave me money to pay for liquor.

426. Who gave you money besides Oliver?—Mr. Soppett.

427. I am speaking of the polling day; how much did Oliver give you then?—He treated two or three parties with glasses.

428. How much did Oliver give you; I want to know the money he paid down?—Some few shillings, or something like that, to pay for the liquor I charged him with.

429. You cannot tell the name of one person you gave to the Missis; was Mr. Cade one whose name you gave in?—No.

430. Mr. Miles Soppett?—Miles Soppett paid me.

431. Did you give his name in?—No, he paid me for the liquor I got.

432. Were there a great many people on the polling day?—Yes, sir.

433. Had they a good deal of drink?—Yes, there was a good deal supplied, but there were two or three waiters besides me there.

434. Did you sleep at the house?—No.

435. What time did you go home on the nomination night?—Perhaps about one or two o'clock in the morning.

436. Was the house closed when you went?—No, liquor was going on then.

Cross-examined by Mr. *Price.*

437. The most of the drink not paid for was on the polling day?—Yes.

438. Was that after the polling closed?—That was going on after the parties had given their votes.

439. They came to have the drink, and then Mr. Oliver and the other gentlemen would pay for them?—Yes.

440. This was after they voted?—Yes.

441. All or the most you had taken on trust was taken on the polling day?—Yes.

442. After they had voted?—Yes.

443. The nomination day was on Wednesday?—Yes.

444. That is the market day?—Yes.

445. Was the "Golden Lion" very full on that day?—Yes.

446. I suppose there was a good deal of drinking on the nomination day by market people, as well as others?—Yes; they treated more that was not voters than those that was voters.

447. Do you remember being there, and taking spirits away which had been ordered and not paid for.—Yes.

448. You took the spirits back into the bar?—I took it back and said, what I paid for I wanted.

449. More than once?—Yes.

450. In the case of voters, did you do that?—Yes.

451. In the case of the voters who would not pay for their drink, you took it back into the bar?—Yes.

452. Did you do this more than once?—Yes.

453. You have been asked about seeing Mr. Fowle; did you see Mr. Fowle about that time, and ask him whether any spirit was to be allowed?—I did; I inquired of Mr. Fowle, to know if such a person was to have any liquor, and Mr. Fowle said there was to be none.

454. By the *Committee.*] Repeat that; what did you say to Mr. Fowle?—I said, the parties that had given the votes came and said, "Was there to be no liquor;" I said, "I do not know, I should inquire of Mr. Fowle;" I asked Mr. Fowle, and he said "No, there was not to be."

455. Mr. *Price.*] Was it young Mr. Fowle?—Yes, it were.

456. Had you received instructions, besides that, not to take any orders, excepting what was paid for?—Yes.

457. Were those instructions from Mr. Fowle?—They were, and from Mr. Clay.

458. Those instructions about the drink were from Mr. Clay, the landlord, as well as from Mr. Fowle?—Yes.

Re-examined by Mr. *James.*

459. This conversation must have taken place on the polling day?—Yes.

460. How did you know these men had voted?—They said so, and they come to be if there was liquor.

461. They wanted drink without paying for it?—Yes.

462. What made you go to Mr. Fowle?—Mr. Clay told me I was to be very mindful who got liquor.

463. Mr. Clay also told you you were not to give orders without paying for it?—They told me they would pay.

464. Did you get paid?—I did.

465. If you received those instructions, why did you give liquor without receiving the money?—It is my own loss if I did not receive it. I got my money.

466. Not all?—Not all; I said the money I did not get; I gave the names in to Mrs. Clay. They said they would pay; I cannot say whether they did; I was not there afterwards.

Examined by the *Committee.*

467. What I understand you to say is this, that you gave out liquor to various people; some of them paid you for it; that for others you advanced the money, and they paid you, and others did not pay?—Yes.

468. Some of them paid you?—Yes.

469. And for some of them you paid?—Yes.

470. And some paid you again?—Yes.

471. And some did not pay you again?—Yes.

472. And

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472. And the names of those that did not pay you, you gave in to the bar?—Yes.

473. Did you pay for those people who did not repay you?—No.

474. You have been at no personal loss then?—No, those that did not pay me, Mr. Oliver and those parties which ordered me to fetch in liquor to them, they paid me the money I laid out.

[The Witness withdrew.

Miss Maria Metcalfe was called in; and, having been sworn, was Examined by Mr. *James* as follows:

Miss *M. Metcalfe.*

475. In July last you were barmaid at the "Golden Lion"?—Yes.

476. Are you there now?—Yes.

477. And we hear that Mr. John Clay is the landlord, and Mrs. Clay his wife?—Yes.

478. I see your handwriting on these papers. Look at this, please: can you tell me whether it is yours or not (*handing a paper to the Witness*)?—Yes.

479. That is yours too (*handing another*)?—Yes.

Mr. *James.*] These, Sir, are two bills from the "Golden Lion," Northallerton: "Northallerton Borough Election, for use of rooms, 72 *l.* 9 *s.*" There is another, "for posting, 130 *l.* 7 *s.* 6 *d.*" "For post boys, ostler, and expenses, 21 *l.*"

480. You can tell me, Miss Metcalfe, about these. You made out these two bills?—Yes.

481. When was that; how long after the election?—I do not recollect.

482. Was it six or seven weeks, or how long after the election?—I do not remember.

483. Tell me, is that Mr. Clay's signature under the receipt?—Yes.

484. I see that is settled the 4th of September; was it before that you made it out?—Yes.

485. Who told you to make these out?—Mr. Clay.

486. Did Mr. Clay give you the figures, or did you refer to any book?—Mr. Clay gave me the figures.

487. Did you refer to any book or papers at the time, or only say, "put down so and so"?—He told me to put it down.

488. Without reference to any book at all, or paper?—Yes.

489. Now which is it?—He told me to put it down.

490. Was it with or without reference to any book or paper; do not let me confuse you. You have not been used to being examined perhaps, and I do not wish to confuse you; did he look or refer to any book or paper at the time?—No.

491. Was there any book or paper there at the time he told you to put these down?—Yes.

492. Where was it?—In the "Golden Lion."

493. Yes, but whereabouts; in the bar?—Yes.

494. What did you call that book?—It was only a book we had for that purpose.

495. For what purpose?—For the time of the election.

496. What sort of a book was that?—It was some paper we had put together for that purpose; loose papers.

497. What sort of a book was it; you say "loose papers"?—Foolscap paper.

498. Was that the book you usually use in your business?—No.

499. Have you other books that you usually use?—Yes.

500. Then what do you mean by this foolscap paper; was that used entirely for the election? Why was it put in foolscap paper for the election?—We had not got a book for the election.

501. You will forgive me, but I want you to be careful. At the commencement of July, had you a book at the bar for your entries?—Yes.

502. Was that book quite full?—Yes.

503. In the first week of July was it full?—Yes, with other accounts.

504. Why did you not get another book?—We did not require a book during the election.

505. When did you get a new book to keep the accounts in after the election?—We did not keep a book for the election.

506. How soon after the election did you get a book?—A week.

507. A week after the election you commenced a new book?—About a week.

508. Now suppose a private customer came in during the election week, and ordered anything for which he did not pay, where did you put that account down?—In our book.

509. Then there was a book for private customers?—Yes.

510. Why did you not put the election expenses in that book?—We had no book.

511. You do not understand me, I see; you say you had no book; you mean, I suppose, no book for election expenses?—No.

512. Have you only charged the exact number of flys that went out—No.

513. Why not then?—The ostler keeps the books.

514. You have only charged the rooms that were used?—No.

515. Where did you get the number of rooms from to charge for?—There was only one private room, Mr. Fowle's private room.

516. What did you charge 72 *l.* 9 *s.* for?—For what Mr. Fowle ordered to go into the room.

517. Just look at this, that is your own handwriting. Just look at it, will you, and read it, "For use of rooms"?—It was only for one room, Mr. Fowle's room.

518. Why have you written "for use of rooms"?—It was for what went up into Mr. Fowle's rooms.

519. Then these words, "for use of rooms," do not represent the true fact?—Yes.

520. How so; did you not tell me just now that this charge of 72 *l.* 9 *s.*, "for use of rooms," refers to what went up into Mr. Fowle's room?—Yes.

521. By the *Committee.*] Is that so?—Yes.

522. Mr. *James.*] The 72 *l.* 9 *s.* is not then "for the use of rooms," but is for food and liquor sent to one room?—Yes; to Mr. Fowle's room.

523. Will you explain to me why you wrote down "for use of rooms," if it is for liquor and food, because that is not the way in which you usually made out a bill?—No.

524. You knew that it was for liquor and food that had been taken to Mr. Fowle's room?—Yes; for what Mr. Fowles ordered himself.

525. And you kept an account of that?—Yes.

526. Where

526. Where did you keep that account?—In some papers we had put together.

527. Why did you not put that account down in the same book as that in which you put your private customers' accounts down?—We did not keep any accounts.

528. Accounts of what?—When Mr. Fowles paid it we destroyed the account.

529. Who destroyed it, Miss Metcalfe?—Mr. Clay.

530. Where was Mr. Clay at the time he destroyed it?—In the bar.

531. By the *Committee.*] Did you see him do it?—Yes.

532. Mr. *James.*] Who was present?—Mrs. Clay.

533. You were there and saw it?—Yes.

534. Anybody else?—No.

535. Are you sure of that?—Yes.

536. Are you positively sure?—Yes.

537. How long after it was paid was it destroyed?—The day after.

538. By the *Committee.*] The day after the account was settled?—Yes.

539. Mr. *James.*] Did you see it paid?—Yes.

540. By whom was it paid?—By Mr. Fowle.

541. The old gentleman, or who?—Mr. William Fowle.

542. He paid it to Mr. William Clay?—Yes.

543. Did you deliver any bill to him?—No.

544. When the money was paid were these papers referred to?—What papers?

545. The papers in which you kept the account, and which had been destroyed, were they referred to when the money was paid?—No, they were not.

546. Was any other bill, besides this, made out to Mr. Fowle?—No.

547. How do you know then if the papers were not referred to, how did you know the right amount to put down here?—We made the bill out before.

548. Which bill did you make out before?—What Mr. Fowle had himself.

549. This very paper?—Yes.

550. Was there any other account made out besides this account, for use of rooms?—No.

551. Neither to Mr. Fowle nor to Mr. Mills?—There was Mr. Mills's private bill.

552. For things connected with the election; there was no other account made out?—No.

553. You know what I mean by a detailed account; you never made out a detailed account?—No.

554. Who referred to the account, so as to see the amount due, before you made this account out?—Mr. Clay.

555. Did you add it up?—Yes.

556. And you found it correct?—Yes.

557. How long was this one room used for?—Until the time of the election was off.

558. About how long was that; three weeks to a month?—Yes.

559. How long do you say?—About a month.

560. How much do you charge a day for the room?——(*No answer.*)

561. Do you not know?—No.

562. How much did you charge a day for this room?—Three guineas.

563. Three guineas a day?—Yes.

564. What room is it then?—Mr. Fowle's private room.

565. This is a house at Northallerton that would be 1,000 *l.* a year. What room is it you charge three guineas a day for at Northallerton?—The room Mr. Fowle had?

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566. Is that your general charge for it?—No.

567. What do you charge generally?—We do not let it off. It was a private sitting-room of our own that Mr. Fowle's had.

568. It was Mr. and Mrs. Clay's private sitting-room, was it. Was it a large or a small sitting-room?—A large room.

569. What was the reason of your charging three guineas a day for it; you put it down day by day?—Yes.

570. You kept the account on the loose sheets?—For what Mr. Fowle's had.

571. For the room?—Mr. Clay put that down.

572. The entry for the rooms was not upon this account at all?—No.

573. How much did the account you added up come to?—I do not remember.

574. Come try?—I do not remember at all.

575. Cannot you try?—No.

576. How many sheets of paper was it written upon?—I do not remember.

577. You can tell me how many sheets of paper it was written upon. Just think, you know. How many sheets of paper was it written upon?—It was written upon three.

578. What sort of paper was it?—Foolscap.

579. Containing entries of what Mr. Fowles had to eat and drink?—Yes.

580. And the whole three sheets have been destroyed?—Yes.

Chairman.] I thought it said 72 *l.* represented the articles supplied to Mr. Fowles.

Mr. *James.*] She did in one sense; she now says, "the use of rooms" means room and food; and she says, three guineas a day was charged for the room.

Witness.] The 72 *l.* covers what Mr. Fowle had himself, and for the use of the room.

581. Who destroyed this paper, yourself?—Mr. Clay.

582. In your presence?—Yes.

583. Did he give any reason for destroying it?—When it was paid we thought it was done with.

584. Why did you make these entries on these sheets of paper, instead of in the book. There was room in the book, we have got that now?—The book was full.

585. Excuse me; you told me when a private customer had goods, you put them in the book?—The commercial gentlemen we did, but not the private customers.

586. But there was room for them?—We never enter anything but the commercials down in our books.

587. By the *Committee.*] You were asked why you did not put these entries into your book, but upon paper instead?—Because we never do enter anything but the commercials down.

588. It is not your habit to enter anything but the commercial entries?—No.

589. Mr. *James.*] Supposing a person comes and stops at your hotel for two or three days, where do you put what they have down, so as to remember it?—On the slates.

590. Then you kept no book, except the commercial book?—No.

591. What did you mean by telling me it was full?—It was full.

 592. Did

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592. Did you get a new one during that week?—Yes.

593. And you made entries?—Yes.

594. You have seen these books lately?—The commercial books?

595. Yes; and the books generally. When did you see them last, please?—About a fortnight ago.

596. Where were they?—In the inn.

597. Did you come up to town with Mr. and Mrs. Clay?—Yes.

598. And they brought the books up with them?—No.

Mr. *James* stated that Warrants had been served to produce these books.

599. Do you know any reason why they should not be here?—No.

600. Let me be clear. You have got the old book that was finished in July, at home?—Yes.

601. And the new book that you commenced the week after the election?—Yes; the commercial book.

602. Those are there?—Yes.

603. You have never had any other books in the inn whilst you have been there?—No.

604. In the inn, whilst you have been there, there never have been any other books than these?—No.

605. Do you mean that?—Yes.

606. You never make entries, except on a slate, of what private persons order?—No.

607. And neither Mr. nor Mrs. Clay does?—No.

608. These books were in the inn when you saw them last?—Yes.

609. When did you come up?—Yesterday.

610. Why have you not used the books for a fortnight?—We have not used them.

611. You have not used them for commercial gentlemen, is that so?—Yes.

612. Have you not entered their accounts?—We have given over doing so.

613. When did you give over doing so?—About a month ago.

614. Why did you give over doing that?—Because Mr. Clay did not think it necessary.

615. Did he tell you so?—Yes.

616. Was that at the time that Mr. Clay received his paper to come up to London?—No.

617. Before?—Before.

618. When did you receive your paper to come up to London; a month ago would be the 24th of March; you received your Speaker's Warrant about the 8th of March, did you not?—We gave up entering the commercials before that time.

619. You have told me it was a month ago; are you wrong in that?—I do not exactly remember the time we gave over.

620. You told me it was about a month ago you gave over entering the commercial entries?—It must be more than a month ago.

621. Was it?—Yes, Sir, it was.

622. Now you recollect that?—Yes.

623. But how much more than a month?—About six weeks ago.

624. Did you not receive your Warrant to come up here on the 8th of March?—I do not remember the date I received the Warrant.

625. You heard, at the time you left off keeping the books, that a petition had been presented, because that was presented in the first fortnight of February—just think; you knew of the petition at the time you ceased keeping books?—Yes.

626. How was it that you stopped at that time keeping books, when you had done so the whole of the time you had been in the inn?—No, I have not.

627. But Mr. Clay has?—Yes.

628. Why was it you stopped keeping the books? You said Mr. Clay did not think it necessary to take the trouble?—No, Sir.

629. That was his reason?—Yes.

630. How long have you been at the "Golden Lion"?—Two years.

631. And during the whole time books have been kept by some one until now?—Yes.

632. Who is the ostler that gave you these accounts?—Isaac Walker.

633. What books does he keep?—I do not know; he keeps the books in the yard.

634. Did he, or Mr. Clay, give you this account for posting, 130 *l.* 7*s.* 6*d.*?—He told me.

635. Did you ask to look at the book?—No.

636. Did he give you the 21 *l.* for the postboys, ostler, &c.?—Yes.

637. You never added the book up?—No.

638. Have you seen it lately?—No.

639. What is the name of the ostler?—Isaac Walker.

640. When did you last see his book?—I have not seen it.

641. Have you never seen it?—No.

642. Never in your life?—No.

643. You attended at the bar during the election?—Yes.

644. Did you receive orders from any of the waiters who came in and asked for liquor?—Yes.

645. For all the liquor you supplied they paid you?—Yes, at the time they took it out.

646. The liquor the waiters supplied they paid for?—Yes.

647. Never one glass, Miss Metcalfe, did you supply without the money?—Yes.

648. That you swear?—Yes.

649. Do you know Thomas Holmes?—Yes.

650. Did he have any liquor without paying for it?—What went into Mr. Fowles' private room.

651. I did not ask you that; I said, did you ever supply Thomas Holmes with liquor, without being paid?—What went into Mr. Fowles' room I did not receive money for.

652. Did waiters come and ask you for liquor?—Yes.

653. Did they always give you money?—Yes.

654. You do not mean that?—Except what Mr. Fowles had himself.

655. Did waiters call for that?—Yes.

656. All that waiters took away they did not pay for?—No, they did not pay for that.

657. Think before you answer; you are getting confused. When waiters came and took liquor away did they always pay the money?—Yes; but what was not paid for went to Mr. Fowles' room.

658. You did not take it from yours?—No.

659. How do you know it went there?—You said so.

660. They came and said they wanted liquor?—Yes.

661. Sometimes they paid for it, and sometimes they did not?—They paid for all but that.

662. By the *Committee.*] Of course, if they did not pay for that which went to Mr. Fowles' room, they did not pay for all?—They paid for all but what went up into Mr. Fowles' room.

663. Mr.

663. Mr. *James.*] Were no other names given in to you but Mr. Fowles?—No.

664. Nor to Mr. Clay, in your presence?—No.

665. Never?—Never.

The *Chairman.*] You mean persons to whom liquor was to be debited.

Mr. *James.*] Yes.

666. Were you at the bar all the time?—Yes.

667. You never heard the name of Oliver or Cade, or any names given in?—No.

668. It was always Mr. Fowles if the money was not brought?—Yes.

669. You cannot tell me how much liquor Mr. Fowles had; you cannot tell me how much. You have destroyed the account, have you not?—Yes.

670. Was it for other people, do you think?—It was for Mr. Fowles ordered.

671. Never mind that you have some discrimination, Miss Metcalfe. Was it for himself or other people; if he had three glasses of brandy and water you would think it was for three people?—Yes; I did not go out of the bar.

672. Was it always in single glasses?—No, not always in single glasses.

673. Sometimes two or three at a time?—Yes.

674. And a tray would be brought in with glasses on?—Two or three glasses; no more.

675. And the waiter said, "Put it down for Mr. Fowles"?—He said it was to be put down to Mr. Fowles. It was for Mr. Fowles.

676. Then, you did not see where it went?—I saw it went to Mr. Fowles's room.

677. No, you could not see that; it was upstairs?—I saw it went upstairs.

678. Were you in the habit of having Mr. Fowles except at election times; does he go to the "Golden Lion" at all?—Yes.

679. He would not go there in the evening to drink, or anything of that kind?—No.

680. He is a married man, living at home?—Yes.

681. Can you give me any idea, Miss Metcalfe—you added this account up; can you give me any idea of what it came to?—No.

682. Not the slightest?—No.

683. Where was this room?—Mr. Fowles's private room was upstairs.

684. Was that the large room where Thornton stood at the door?—I do not know where Mr. Thornton stood.

685. There was only one room occupied for electioneering purposes?—No.

686. Did you send in any detailed account but to Mr. Fowles?—There was only Mr. Mills's private account.

687. That was all you sent to Mr. Fowles?—Yes.

688. Did you send a bill to any other persons for liquor during the election?—No.

689. If a person came to pay a bill would he pay it to you?—Yes.

690. Has Mr. Oliver paid you any money?——For what he had himself he paid.

691. Was the name of Oliver given in?—No.

692. I am speaking of since the election; since the election he paid you nothing?—No.

693. Not a farthing?—No.

694. Nor to Mrs. Clay in your presence?—Not in my presence.

695. Was there an entry in the book of his account?—No; we never put anything down to Mr. Oliver.

696. Mr. Oliver has paid for something?—For what he had at the time.

697. That would be paid to the waiter in the ordinary way?—He paid the waiter for what he had.

698. Did he pay anything to you or to Mr. Clay or to Mrs. Clay?—No.

699. Have no waiters paid since the election?—They paid then.

700. As they had it?—Yes.

701. Glass by glass?—Yes.

702. They never paid any sum since the election?—No.

703. And all has been paid, whatever it is, by Mr. Fowles?—Yes.

704. Has Cade or Atkinson, or any one, paid for liquor had during the election week?—No.

705. And no account has been written out by you?—No.

706. And no money ever received?—No.

707. Miss Metcalfe, I think you have told me there was no entry of any persons names except upon those destroyed sheets?—No.

708. I think you said Mr. Fowles' room was upstairs?—Yes.

709. There was no room other than that as a committee room?—We had no committee room.

710. By the *Committee.*] That is room No. 1, is it?—Yes.

711. You cannot remember without you added up his account what the account came to?—No.

712. You do not remember whether it was 72 *l.*, for instance, the same sum that has been mentioned?—No; I do not remember.

Cross-examined by Mr. *Price.*

713. This 72 *l.* 9 *s.*, as I understand, includes a charge of 3 *l.* 3 *s.* a-day for the sitting room?—Yes.

714. Was that a bargain that was made before they took the rooms that they were to be charged that?—I do not know.

715. That was the private room of Mr. and Mrs. Clay?—Yes.

716. Had Mr. Fowle the exclusive use of that room during all the time he occupied it?—Yes.

717. Did he lock up the room at night when he went away?—I do not know.

718. But he had a man stationed there to keep people from going in?—I do not know; I did not go to see.

719. That was part of the charge, and the rest of the items were made up by refreshments that Mr. Fowles had?—Yes.

720. Used Mr. Fowles to dine there?—Yes.

721. And, on occasions, other gentlemen dined with him?—Perhaps there might be.

722. And they were there very early in the morning, I have no doubt?—Yes.

723. And they would stay till late at night?—Yes.

724. They would have lunch and dinner there?—Yes.

725. Did they ever have breakfast?— They had breakfast sometimes.

726. Several of their meals they would have there, and be very late at night sometimes; let me understand, you have a book in the bar for what you call the commercial gentlemen?—Yes.

727. Have you a book also in which you make entries, or do you keep it on scraps of paper if gentlemen come there and have refreshments?—We keep it on a slate.

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728. This bill of 72 *l.* 9 *s.* was written on three sheets of foolscap?—Yes.

729. Was that ruled foolscap such as is found in a long account book?—Yes.

730. The sheets upon which it had been written had been torn out of a book?—We bought it for that purpose.

731. They are not sheets of blank foolscap, but ruled for an account book?—Yes.

732. Then were they headed "For Mr. Fowle; the use of room"?—"The use of room for Mr. Fowle."

733. And it gave the items?—Yes.

734. Do you know whether that account was, in the first instance, handed to young Mr. Fowle?—Yes.

735. And did he say they wanted a short bill; that they did not want it in that form; that they would have it on short paper for convenience?—Yes.

736. Then that short bill was made out by you?—Yes.

737. At Mr. Clay's dictation?—Yes.

738. And adding up these three sheets of foolscap, did the total come to the same?—Yes.

739. Do you know that they corresponded with this 72 *l.* 9 *s.*?—Yes.

740. The bill was settled by Mr. Fowle?—Yes.

741. And then Mr. Clay tore up these sheets?—Yes.

742. Thinking there was no further occasion for them?—No.

743. At that time, did you know anything of a Speaker's Warrant to come up?—No.

744. You had not been served with this piece of paper at the time that those sheets were torn up?—No.

745. Now, as to the posting, you know nothing of that; that would be taken from the ostler?—Yes.

746. Had you anything to do with it?—No.

747. That, you said, was in your handwriting "For posting"?—Yes.

748. Where did you get the amount of 130 *l.* 7 *s.* 6 *d.* for posting from; from whom did you get that?—From the ostler.

749. Did he come in and give you that as the amount which he had got for posting?—Yes.

750. Then the post-boys', ostlers', and other expenses. 21 *l.*; how was that calculated?—Mr. Clay told me to put it down.

751. Do you happen to know that there was a great deal of posting during the election?—I do not know at all.

752. Perhaps you do not know that many of the voters lived several miles from the town?—No.

Re-examined by Mr. *James.*

753. Who brought you to the railway station yesterday?—The 'busman.

754. Did Mr. Fowles?—No.

755. What vehicle did you come in?—The omnibus.

756. Did you not go with Mr. and Mrs. Clay?—Yes.

757. Did you go in Mr. Fowles' private carriage?—No.

758. Are you sure of that?—Yes.

Mr. *John Clay* was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

Mr. *J. Clay.*

759. PRODUCE your Speakers' Warrant; your notice to come here.—[*The Witness did so.*]

760. Is this the only notice you have had?—There was one paper before; that is the last paper I got.

761. Give me the paper you had before?—I have not got it.

762. The notice to produce your books?—I have not got any books.

763. You have had notice to produce your books?—I have not any books.

764. You are the landlord of the "Golden Lion," at Northallerton?—Yes.

765. That was Mr. Mills's headquarters at the election time?—Yes.

766. Have you had notice to produce your books here?—There was a paper came.

767. Had you a notice to produce the books here; is that (*handing a paper*) the notice given to you?—I believe it is.

768. You have given it to Mr. Fowle?—No.

769. Whose is that?—It may be similar to mine.

770. I see the name of John Clay there; did you give it to Mr. Fowle?—Yes, I did.

771. When?—That I cannot say. I do not know the date I got it.

772. Did you give it to him as soon as you got it?—Yes.

773. Did you ask him whether you were to bring up the books of the commercial accounts?—No.

774. You have got some books, surely?—I have nothing relative to electioneering.

775. You have some books?—Yes.

776. Which were kept in July 1865?—No; nothing of the kind.

[*Chairman.* He does not understand the question.]

777. Mr. *James.*] Did you have two books in your possession in the month of July 1865?—Not that I am aware of.

778. Had you any books in your possession?—A small book that I kept my posting in.

779. That the ostler keeps?—Yes.

780. Where do you enter the orders of commercial travellers?—Upon a slate.

781. Do you ever put them in a book?—No; there are no books; there may be slips of paper.

782. Have you ever kept a book within the last two years, in which you have entered orders?—I may have had a small book.

783. Never mind, small or large. If you received orders in the house, were they put down in a book?—I have put them down; some things in books.

784. From whom?—Posting accounts from ladies and gentlemen.

785. You never enter in a book anything except posting?—I cannot say.

786. What is your practice?—It may be the practice to enter my spirits and such like.

787. The goods supplied to your customers, are they entered in a book?—Yes.

788. The orders which customers give you, are they entered in a book?—They always pay ready money for them.

789. Are

789. Are the orders you have from people stopping in the house—commercial men—entered in a book?—They may be if they are stopping in the house for a month.

790. Are they so entered?—Some of them may be.

791. Then you had a book in July in which such orders were entered?—Yes.

792. Have you got that book now?—Yes; at home.

793. Where is it?—At home.

794. Have you got a book with you commencing about a week after the election? Do not shake your head. Have you?—I have not.

795. Was the book full during the election time?—To my recollection there is no book.

796. This document, we see, you handed to Mr. Fowles. I will read it: "All books and memoranda kept between January and December 1865." There was a book you had in the month of July; and was there not a book that was full shortly before the election?—Not to the best of my knowledge.

797. Did you use one book during the month of July?—I should think we did, if we used one at all.

798. You know you did?—No; I do not know. It is a thing I never do at all. I have nothing to do with the books.

799. Your wife and Miss Metcalfe attend to that. Do you mean to say, you, the landlord, do not know whether it is your habit to use a book or not?—There is a book—a small book.

800. Why, when you received this notice from the Speaker of the House of Commons to bring here all books kept by you between January and December—why did you not do so?—Because there was nothing relating to electioneering.

801. This is a thing we decline to take your word on. Can you have it here to-morrow morning?—No.

802. Why not; you can telegraph for it?

[Mr. *Price* stated that the book should be sent for, and that the Wituess was under an apprehension that he only need bring a book having regard to the election.]

803. Mr. *James.*] Did Mr. Fowles tell you that?—Yes.

804. That you need only bring books relating to electioneering?—No, I do not believe he did.

805. Did Mr. Fowles tell you whether you were to bring any books?—No.

806. Where is that book?—In my bar at Northallerton.

807. There is but one there for 1865?—I cannot say whether it is 1865 or 1864.

808. You have no knowledge of a book being commenced after the election in July 1865?—No.

809. In the case of a private person who enters your house and orders a dinner, is that entered in the book?—Sometimes, and sometimes not. If a gentleman orders dinner he pays for it.

810. But I mean in the case of persons who are stopping there two or three days. Is what they order entered in a book?—It may be.

811. That is not confined to commercial people?—No.

812. As a rule, it is confined to private persons, and not commercial people?—No, no; it may be put down to both.

813. But, as a rule, it is more a private person's book than for commercials?—No; it is more for commercials, if there is one.

814. Will you explain it in your own way? Is that book kept for private persons or commercial people, or for both?—It may be for both.

815. Is it?—It may be; I never looks into the books.

816. You never did keep books then, and did not since the election?—Not that I am aware of.

817. There was liquor sent to Mr. Fowles's room during the election? There were things sent for eating and drinking to Mr. Fowles's room?—There was a small portion went up to Mr. Fowles's room.

818. Where was the account of those things kept?—I forget how he paid for them; he paid a certain sum of money which I considered was for the use of the room and everything.

819. When was that?—That I cannot tell to a day or two.

820. Was there no account kept of what he had?—There was some sort of account there, but he said he would not pay it.

821. Where was it kept?—That I cannot tell, for I did not keep anything, neither do I make a bill out.

822. You are a careful man. Where would this book be kept?—In the bar, if there was one kept.

823. Be careful. What do you mean by saying it was burned; what was it you burned?—It was a common piece of paper, like foolscap paper, we scribbled on it with pencil, and threw it away.

824. There was an account kept then; on how many sheets?—About four.

825. You burned the four?—Yes; it was foolscap paper, written on in pencil.

826. Was it bought on purpose for that?—We always do that on fair days and other days.

827. Was it bought on purpose?—It might be bought by us at the time.

828. Who made the entries?—My barmaid, I should think.

829. When was any account sent in to Mr. Fowle?—That I cannot tell.

830. What was the account he would not pay?—I forget.

831. Try and remember. What was the account he would not pay?—I do not know what it was; I never saw it. He sent me a sum of money which I considered sufficient for the room.

832. By the *Committee.*] What was the account he said he would not pay?—The amount, Sir?

833. No, the account?—I do not know.

834. Mr. *James.*] Who made it out?—The barmaid, I should say.

835. Miss Metcalfe, that is. I beg you to be careful how you answer that. Was that the account he would not pay, or another; was there any other account but that?—Not that I am aware of.

836. Was that the account he would not pay; was that the only account?—I cannot say there was any other.

837. Is this the account he would not pay?—He gave me money sufficient for the rooms.

838. Which was the bill he would not pay?—That bill, I suppose.

839. By the *Committee.*] What do you mean by that?—He considered he had paid sufficient for his rooms without.

840. Mr. *James.*] Was there another account besides this, Mr. Clay?—No, there was not.

Mr. *J. Clay.*

24 April 1866.

841. What was it he would not pay?—I should fancy this was it.

842. Now, in justice to yourself, answer the question. What was the account he would not pay?—I am sure I do not know what it was; it was a bill he would not pay. He gave me a check for an amount more than I wanted.

843. He gave you a check for more than you wanted; when was that?—That I cannot tell you.

844. Did he give you a check for more than 72*l.* 9*s.*; more than this amount?—I do not know what it was exactly.

845. Pray pardon me; did he give you more money than 72*l.* 9*s.*?—I should say not.

846. Do you swear not?—I do so.

847. You swear that is the whole money you have had from Mr. Fowles?—Yes.

848. There is an account that he refused to pay?—No, there is not.

Mr. *Price* to Mr. James.] You are confusing him.

Mr. *James.*] I am not doing so intentionally.

849. Do you mean to say that there has been no other account sent in but this?—I have told you twice there was not.

850. You have told us twice there was; which is true; that there was not?—Yes, that there was not.

851. You have made no demand on him?—No; not for the house.

852. Did you make any further demand on him?—No.

853. It was by check he paid you for this?—I believe it was; but I really do not know whether it was a check or money.

854. What do you mean by saying it was a check for more than you wanted?—I cannot say whether it was for that or for posting.

855. He has for something given you a check for more than you wanted?—Of course; I had to get cabs, that I had to pay other people for.

856. Have you received any more money from Mr. Fowle excepting these two accounts; one 72*l.*, the other 130*l.*?—That would be for the posting.

857. It is so. Have you received any other money?—None.

858. Are you quite sure?—Yes.

859. These two sums are due to you?—No; they are paid.

860. They were due?—Yes.

861. Did not you want to receive these amounts?—Yes.

862. What money has he paid you more than you wanted?—Because in that posting bill I had more than 70*l.* to pay away.

863. This is not more than you wanted. Did he pay you by check?—I cannot say.

864. Do you keep a banker's account?—Yes.

865. Cannot you tell me whether Mr. Fowles paid you in gold or notes, or by check?—That I cannot.

866. Did you add up the amounts of the accounts due from Mr. Fowles on slips of paper?—I dare say I did.

867. Did you?—I should, most likely.

868. Did you?—I do not know that I did.

869. Do you generally interfere with the accounts?—No.

870. Did you give to Miss Metcalfe the amount of 72*l.* as the amount she was to charge for the rooms?—That I do not know.

871. What do you think?—I do not know it.

872. You do not generally add up the accounts?—No, I do not.

873. Upon your oath, did you not give Miss Metcalfe the amount of 72*l.*, and tell her to put it down?—No, I did not.

874. You swear that?—Yes.

875. It is quite unknown to you how she got it?—Yes.

876. You did settle it on the 4th of September; did you burn your accounts on the 5th?—No.

877. When did you?—Oh, long before that, I should say.

878. Long before the 5th of September?—Or after.

879. Well, now we are both in the hands of the Committee; I must ask you not to trifle with these questions. What is the meaning of your answer, "or after"?—Upon my honour I do not know.

880. Did you burn your accounts upon the 5th of September?—I cannot say.

881. Why did you tell me it was long before that?—I do not know.

882. Why did you tell me it was long before?—I have no recollection.

883. You have no recollection, have you. If you have no recollection have you any answer?—No; I do not know that I have.

884. When do you think it was you burnt them?—I am sure I do not know; I have not the least idea.

885. May you have burnt them before?—No.

886. After?—I should almost think it was. There is a great many burnt when they are paid and done with; I do not keep them by me.

887. You cannot tell me whether it was before or after the time it was burnt?—After.

888. Did you receive the account from the ostler, or did she get that herself, 21*l.*?—She would get that from the ostler.

889. You have never given her anything to put down?—No.

890. Did you discontinue keeping accounts about six weeks ago?—Sir?

891. Did you discontinue keeping accounts about six weeks ago?—No.

892. Did you tell Miss Metcalfe you found it too much trouble, and you would not keep any books?—It might be the case that, for I never go near the books.

893. Did you tell Miss Metcalfe that it was too much trouble, and that you would not keep books?—I cannot recollect.

894. I shall have to appeal to the Chairman; you will not answer my questions; did you?—I might have done so.

895. Did you?—I did.

896. Do you know it?—I did not know it.

897. Do you mean to say you have forgotten it?—I do.

898. Do you mean to say that as a fact, they have discontinued keeping books six weeks ago?—Yes.

899. You knew of it?—Yes.

900. Why did you discontinue keeping books?—Because it was very little use to us. We have nothing to set down.

901. You have always kept books till six weeks ago?—Oh, no.

902. When did you begin?—I do not know.

You ask me questions about which I do not know anything.

903. How many years did you keep books?—I think it may be 20 years.

904. A fortnight ago you determined to keep books no longer?——

Mr. *Price* objected to this mode of examination.

Mr. *James* was heard in support of it.

After some discussion the examination was proceeded with.

905. Mr. *James.*] Mr. Clay, why did you discontinue keeping these books about six weeks ago?—Because there was too much trouble. It was for nothing else.

906. Was that before or after you received the Speaker's warrant?—Oh! before, sir.

807. How long before?—I cannot say.

908. It was six weeks ago. Here, sir, is your Speaker's warrant, dated 16th February, 10 weeks ago?—I cannot tell you to a month; I do not know.

909. You have sworn it was six weeks ago you stopped keeping books. Here is the warrant of the 16th February; was it before or after that?—I tell you, sir, I do not know; I have not any recollection when it was.

910. Do you not recollect whether it was before or after the Speaker's warrant?——

911. *Chairman.*] You must know when you discontinued the books?—It was before.

912. Mr. *James.*] How long before?—I cannot say; I have not any recollection.

913. Was it before or after Christmas?—After, I believe, it was.

914. Was it before or after Christmas?—After, I should think.

915. Before or after the 16th of February, upon your oath?—I cannot say.

916. Did you make entries in them up to the time you ceased to keep them?—I should say they would.

917. When do you say that was, the 16th February or after?—I have not the slightest recollection. I have told you I do not know.

918. Whose determination was it not to keep books any more; was it yours or your wife's?—Myself.

919. What trouble is it to you, because you never made any entries in them; what had you to do with the books, you never made an entry?—No, I never did.

920. What trouble was it to you, then?—It was a vast deal of trouble to her to do with it; it was a trouble to her.

921. You told Miss Metcalfe they were a trouble to her, and you told her not to keep them any more?—No, I did not; I know nothing about it.

922. Miss Metcalfe is your barmaid and obeys your orders; did you tell her not to keep books any more?—No, I did not.

923. You determined not to keep the books; how came she to know of your determination?—I do not know anything about it.

924. What caused her to cease keeping the books?—I cannot say.

925. She carried that determination into effect without your telling her not to do it?—I do not know; I have no recollection.

926. You do not know whether it took place more than six weeks ago. Upon your oath, Mr. Clay, did you not discontinue these books after you had seen Mr. Fowle. Think before you answer?—No; before I saw Mr. Fowle, Mr. Fowle never said anything to me about the books.

927. It was after you saw Mr. Fowle?—I believe it was.

928. Then, you know it was before the 16th February?—I have known Mr. Fowle 20 years.

929. You took this notice to him?—I sent it to him.

930. Was it before or after you sent it to him?—That I cannot say; when I am speaking the truth you will not let me.

931. You will let us have these books?—Yes, if I can get them.

932. What is to prevent you getting them?—I do not know.

933. Is there anything you can suggest that will prevent you?—No.

Mr. *James.*] My friend says we shall have them if they are material to the case. I ask you whether they are not material, sir. I want the ostler's books as well.

934. Now, Mr. Clay, what did you receive for your room?—I cannot say, sir; I have no recollection as to the amount I received.

935. Mr. Clay, come, come?—You want me not to speak the truth; that is what you want.

936. I want to know what you received for your room?—I do not know.

937. Have you no recollection?—No.

938. Have you asked your wife, or your daughter, what she received?—No, I have not.

939. Miss Metcalfe tells us you gave her this amount for the use of the rooms, 72*l.* 9*s.*; do you mean to say you do not know what you charged?—I have not any recollection of doing such a thing.

940. Have you any recollection of what you charged?—I have not; I do not know.

941. Did you make any bargain with Mr. Fowle?—Not that I am aware of.

942. Did you charge what you liked?—Yes.

943. And how much did you like to charge?—I should think that was it; I do not recollect saying anything about any sum of money.

944. We must have it, Mr. Clay. What was the charge for the room?—Well, I cannot say.

945. Have you any doubt about it?—I do not know what it was.

946. By the *Committee.*] You must know surely what you charged for the committee room?—I think it was 4*l.* or 5*l.* a day; I am not certain.

947. Mr. *James.*] How long did you have it?—That I cannot say.

948. About a month?—No.

949. Three weeks?—Yes, very like.

950. Four times 21 is 84; how came you, then, to reckon it only at 72*l.* 9*s.*?—I have not the least idea; I only say "about."

951. Did you make any inquiries about this thing as to what had been charged?—I might have done at the time, but I have no recollection.

952. That was about two months ago. You have journeyed up here with your wife and Miss Metcalfe to give evidence. Now, tell us what you charged for your room?—I am not positive whether it was 4*l.* or 5*l.*

953. Was it one or the other?—I believe it was.

954. Was that the room that was used as a committee room?—We had none.

Mr. *J. Clay.*

24 April 1866.

955. The room where Mr. Thornton stood outside the door?—Mr. Thornton?

956. We have heard this before; your own counsel says so?—I do not know who it was; there might be a person standing there.

957. Was that the room where Mr. Thornton stood?—I should say it would be.

958. Did people go in and out to see Mr. Fowle?—It was his private room.

959. Was there no other room up stairs used for that purpose but that?—No.

960. What do you generally charge for that?—I am not in the habit of letting it.

961. You do not charge 4 *l.* or 5 *l.* for a private room?—No.

962. Then, why did you in this case?—I do not know.

963. Was it by agreement?—I do not know what it was.

964. Whatever it was, was it left to you to charge what you liked?—Yes.

965. Did Mr. Fowle ask you for any account so as to know how much you were charging him?—Not that I am aware of.

966. He never asked for a detailed account of what was charged for liquor and for the room?—For liquor?

967. Yes?—The liquor was all paid for as it went out.

968. Was it sent into Mr. Fowle's room?—There might be some.

969. Your charge was for the use of room, including liquor?—It was.

970. Did Mr. Fowle ask you how much was for the use of the room, and how much for liquor?—No, he did not.

971. You never told him?—No.

972. How does Mr. Fowle know how much he is charged for the room?—He does not know.

973. Then it includes the food and the liquor?—Yes.

974. How does he know how much goes for food, and how much for liquor?—I have not told him. There is the bill there.

975. Look at it?—I have seen it.

976. Read it out?—"For use of room."

977. How should I know, or any one, that that included food and liquor?—I do not know.

978. How did Mr. Fowle know which was for room and which for liquor?—I am sure I do not know.

979. You never told him. Is there any person you can name who can tell how much is for liquor in the account?—I cannot; I do not know.

980. Is there nobody that knows?—No, I do not know that there is anybody.

981. It has been left to you to put down what you like?—I believe that is the case.

982. And Mr. Fowle allowed you to ask any price; is that so?—I believe it is so.

983. Was it the same as to the posting; has he had any detailed account of the posting?—I do not know.

984. From whom has he had any?—There would be the accounts of different parties for cabs that I hired, which was a great many.

985. Have you sent them in to Mr. Fowle?—I do not think I have.

986. Have you sent him in a detailed account of that?—I am sure I cannot say; I might have brought the bills up, if I had given it a thought. About 40 *l.* I paid to Darlington, and a lot to Ripon out of it.

Cross-examined by Mr. *Price.*

987. Have you got in your possession now any book with any entry with respect to the election in it?—No.

988. Had you at any time any book with respect to election entries?—No.

989. Are you perfectly willing to let the Committee have any book that is there brought up?—Yes, there would be the posting book; the horses would be put down there; sometimes five or six in a day were hired; and I was obliged to put those down; that is in the ostler's hands.

990. If the Committee require you to produce them, are you perfectly willing to produce them?—Yes.

991. You have not brought that book. Was the reason you did not bring it because you thought it had nothing to do with the election?—I thought it had nothing to do with the election.

992. Did you read the notice as requiring you to bring with you only things relating to the election?—Yes, that is the very thing.

993. And I should have done so myself, and have advised you the same, if you had asked me.

994. You say Mr. Fowles made some objection?—Yes, he did.

995. Did he object to having a detailed account, and did not he say he would only pay a lump sum for the rooms?—Yes.

996. In consequence of that it was made out in a lump sum?—It was.

997. Did he say he would pay you so much for the rooms, which must include refreshment?—He did.

998. And in consequence of that, did you make it out in that form, for the use of rooms?—That is it.

999. You said Mr. Fowle paid you more than you wanted. Do you mean more for flys than you had supplied to him?—That is the case.

1000. And you had to pay other people from whom you had hired flys?—That is quite true.

1001. For how long before, and during the election, were they posting every day; for three weeks before?—Full three weeks.

1002. Had they carriages every day?—Yes, sometimes three or four a day.

1003. Is it a fact that there are voters, and a great number of voters, in Northallerton, living as far as seven miles from the town?—It is.

1004. And there was posting to canvass them, and back again?—Several times.

1005. Mr. Wrightson and Mr. Mills were the first candidates?—Yes.

1006. Then Mr. Wrightson retired, and Mr. Jones turned up?—Yes.

1007. Did that make it necessary for Mr. Mills to canvass the borough twice over?—It did.

1008. Therefore, all this travelling had to be done over again after Mr. Jones started?—It had. I set 40 *l.* down, but it was 35 *l.*

1009. You did not keep the books yourself?—No.

1010. Mrs. Clay and Miss Metcalfe had that part of the work?—They had. Mrs. Clay does very little at that.

1011. You were asked about a book which you discontinued; whether you have the book which was discontinued or not, you are ready to produce it to the Committee, if there is one?—Yes.

Re-examined

Re-examined by Mr. *Day*.

1012. How many accounts did you deliver?—How many accounts?

1013. Yes?—I am sure I cannot say.

1014. Have you any recollection how many accounts you delivered?—Perhaps two.

1015. Were there not more than two accounts?—I think not.

1016. Were these two accounts for the posting and for the room?—Yes.

1017. There were only these two accounts?—Only these two.

1018. Does the amount he paid you more than you required, appear in either of those accounts?—It will in a preceding account.

1019. Take this account, and tell me the amount he paid you more than you required on the posting account?—I had to pay 35 *l.* to Darlington of this for cabs I hired from there; 24 *l.* to Ripon, and the rest was my own.

1020. That is what you mean by more than you required?—That is what I meant.

1021. You have never sent in any other account but this?—No.

1022. The amount was 130 *l.* 7 *s.* 6 *d.*?—Yes.

1023. You do not mean he paid you more money than you wanted?—No.

1024. At one time did he pay you more than one bill?—I believe he paid that at one time.

1025. Did he pay both bills at one time?—No.

1026. How many payments did he make you altogether?—I believe only two.

1027. Have you any doubt about it?—I have no doubt about it. Mr. *J. Clay.*

1028. When did he make you the first payment?—I have not that recollection; you will see there. 24 April 1865.

1029. Did you enter the payment in any book of yours?—No.

1030. Did you give a receipt for it?—Yes; that is a receipt.

1031. Did you give any other receipt?—No.

1032. Is there no entry in any cash book?—No.

1033. Did you pay it into your bankers?—I paid some of it into the bankers.

1034. Who are your bankers?—Mr. Backhouse.

1035. At Northallerton?—Yes.

1036. Were you paid by cheques?—No.

1037. Are you quite sure of that?—The first bill, I don't know whether it was, now, or not; but the posting was not.

1038. The posting was not paid by cheque?—No.

1039. Do you know who the other people are for whom you received this money?—What money?

1040. You said you received more than you required?—Mr. Robinson, of Darlington, has received a lot of it.

1041. Who else?—Mr. Mountain, of Ripon. I believe Mr. Robinson received either 35*l.* or 39 *l.*

[The Witness withdrew.

Mrs. Martha Clay, sworn; Examined by Mr. *Day*.

1042. You are the wife of Mr. Clay, who keeps the "Golden Lion"?—Yes. Mrs. *M. Clay.*

1043. The landlady of the house?—Yes.

1044. And you managed the house during the time of this election?—Yes, I tried to do the best I can.

1045. How many rooms were hired on behalf of Mr. Mills?—Mr. Mills had one private room and a bed-room.

1046. Was there any other room occupied?—Mr. Fowle had a private room.

1047. Was that the room used as a committee-room?—It never was named as the committee-room. He engaged the room as a private room for himself.

1048. By the *Committee.*] The "Committee Room" was not on the door, was it?—No.

1049. Mr. *Day.*] It was taken for the purposes of the election?—I did not know what was going on; but Mr. Fowle took it for his own use.

1050. And it was used for the purposes of the election?—Of course he was in and out, and up and down stairs. I did not know what was going on.

Mr. *Price* objected to the question on the ground that the Witness was not hostile.

1051. Mr. *Day.*] What was it used for?—I never went up to tell, therefore I am not able to answer the question. I have a great undertaking, and therefore I never intruded into it to see what it was used for.

1052. How long was it used for Mr. Fowle?—I am sure I cannot recollect.

1053. Weeks, or days, or months?—I cannot recollect. I will speak the truth, but I really do not remember.

1054. You manage the house, I think you say?—Yes.

1055. And you have no recollection of how long the room was used?—No, I have not; it is eight or nine months ago, and I am not sure; I did not think it was necessary at all to have to do so.

1056. You went up and down yourself, I suppose?—Very little indeed. I am otherwise engaged.

1057. Did you see any paper on the door?—No; I did not.

1058. Do you know a man of the name of Thornton?—Yes; I do.

1059. Did you see him standing at the door?—I cannot speak to that; I was up and down to my bed-room, which is in the way, and I can say no more.

1060. You have no idea what it was used for?—No; I have not.

1061. You always superintend the bar?—Yes.

1062. Was anything sent up to this room to your knowledge from the bar?—There were refreshments sent up to Mr. Fowle himself; perhaps a sandwich, and a little bitter beer; I cannot tell exactly.

1063. Nothing in the way of brandy and water?—Not that I am aware of.

1064. You are not aware of any refreshment except for Mr. Fowles being supplied?—No.

1065. Was that entered into the books?—There

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There was no bookkeeping, because every one paid for his own; we left of course what Mr. Fowles had in his room.

1066. Because he was a man well known to you, and you were willing to trust him?—Of course.

1067. You did trust him at the time he had the room?—Yes.

1068. You kept an account?—Yes.

1069. What did you keep the account against Mr. Fowles in?—For refreshments and a private room.

1070. What did you keep it in or on?—Every busy time we have, I mostly get about four or half a dozen sheets of cap paper; we tie them together, and make our bills from that.

1071. On sheets of cap paper?—Yes.

1072. And this account of Mr. Fowles you kept on the cap paper?—Yes.

1073. Putting down every thing on this paper that was sent up to his room?—Yes.

1074. Have you been in the habit of keeping any books at your own house?—We have none to keep further than that, because every one pays for his own; that is all the bookkeeping we have.

1075. There are not always elections at Northallerton, are there?—We have had them frequently.

1076. Do you keep books at any other time than election time?—For other purposes we do.

1077. For what other purpose do you keep books?—Well, it is a very good commercial house, and of course we have every account to enter.

1078. For what purpose do you keep the books?—I cannot answer the question. Provided the quarter sessions come, of course we have them at our house. Each gentleman stays two or three nights; then of course we must keep an account.

1079. You keep an account at the time of the election and quarter sessions?—Yes.

1080. Mr. *Price.*] I hope you have no account against me?—No; we shall be very happy to see you again.

1081. Mr. *Day.*] Other people have credit besides the gentlemen that came to Northallerton?—Yes; there is a great many.

1082. You might keep books for that purpose?—We keep entry books, but that has nothing to do with the electioneering.

1083. You do keep an entry book?—Yes.

1084. And have done since you kept the "Golden Lion"?—Yes, we have.

1085. What do you enter in the entry books?—I think I cannot answer that; of course every time a private or a commercial gentleman comes and stays a few nights, his accounts are made from the book.

1086. Every gentleman who comes and stops a day or two, gets into your books?—We may neglect them. We have slates as well; we perhaps make our bill from the slate.

1087. You have had a book regularly since you kept the house; do you keep any book now?—We kept no book for the election.

1088. By the *Committee.*] Do you keep books now?—Of course we keep our own private accounts.

1089. Mr. *Day.*] Do you keep this entry book in which you enter the accounts of gentlemen who go and stop at your house?—Yes.

1090. The same as you always did. Do you keep accounts now the same as before?—I will answer you truthfully, if I can.

1091. Do you keep a book now, such as you have kept ever since you kept the "Golden Lion"?—Of course we have; but of course one book will wear out; but we have not kept any accounts respecting the election.

1092. From this book which you keep now, which is the same as before, you make up the accounts?—Yes.

1093. Had you a book at the time of the election?—No; only a little account for Mr. Fowle.

1094. I am not speaking of what you entered; had you a book in the bar at the time of the election; one of these entry books?—Yes.

1095. You had?—Yes.

1096. There were, I think, some persons stopping in your house at the time of the election, who had nothing to do with the commercial travellers. Had you a commercial traveller stopping in the house at the time of the election?—Yes; a good many.

1097. Who had nothing to do with the election?—No.

1098. What book do you enter their accounts in?—In the book that we always keep for that class of gentlemen.

1099. Is that the entry book you have spoken of?—Yes; we have no other.

1100. The book that you keep your customers' accounts in?—Yes.

1101. Why do you not keep the election accounts in that book?—Because every party paid for their own, we had nothing to enter, we made Mr. Fowle's account from these scraps of paper, which we attached together.

1102. Why did you not enter Mr. Fowle's account?—We did not know it was necessary, knowing the gentlemen so well, we did not think it was necessary.

1103. You seem to know my learned friend Mr. Price very well; you entered his account; why did you not enter Mr. Fowle's?—The sessions is quite another thing to an election.

1104. But is there any other reason why you did not enter Mr. Fowle's account into your book?—Not at all; the bill was paid, and I did not think it necessary.

1105. Did Mr. Fowle tell you to keep it separate?—Indeed he did not. He was very particular not to have any one treated.

1106. Did he suggest to you to keep the accounts on separate sheets of paper?—No, indeed he did not.

1107. Did you begin that plan at once?—I cannot remember the day of the month, but I should begin it when the election commenced, I suppose.

1108. You suppose?—I cannot remember.

1109. Did you keep the accounts yourself?—Miss Metcalfe did.

1110. You superintended it?—Yes.

1111. So that you saw the entries made in the book?—Yes.

1112. When did you last see these sheets of paper?—I cannot answer. When the bill was paid, I did not know the book was of any consequence.

1113. When did you last see the sheets of paper tacked together?—I cannot answer it truthfully, because I do not know.

1114. Where did you last see it?—In the bar.

1115. Did you know what was being done in the

the bar?—The bill was paid and the book was put on one side; not knowing that it would ever be wanted, it was torn to pieces, perhaps made lighters of, I cannot tell you.

1116. Did you see these sheets of paper burnt?—I saw them torn up, I cannot say burnt; part of them were made lighters of, I believe, for the use of the rooms.

1117. They were put behind the fire?—Not that I know of.

1118. Were you present when they were destroyed?—I know that they were cut up for lighters.

1119. When was that?—I could not remember if I was put on my oath. It was soon after the account was paid.

1120. Before Christmas?—I think it would be.

1121. Do you, apart from this, keep any book to show how much money you have taken during the year?—No.

1122. Do you keep any book of any sort, no cash book?—Is that a fair question to answer?

1123. *Chairman.*] You must answer it; do you keep any cash book?—No, we do not.

1124. Mr. *Day.*] Have you any means of ascertaining at the end of the year how much money you have received during the year?—No sir, I am sure I could not say.

1125. Or how much you have paid?—No.

1126. You say that all the things that were had during the election were paid for by the people who had them?—Yes.

1127. Describe the course of business; the waiters come down, and what then?—The waiters came to the bar and everything was paid for, and we strictly told them.

1128. What did they do, they came down and took the things away from the bar?—We served them ourselves.

1129. Did the waiters bring back the money?—A good many paid as they went on.

1130. Do I gather that some did not pay as they went on?—Some would come back and pay.

1131. Waiters or persons, do you mean?—Waiters, we had three or four of them.

1132. Did you receive any money for anything with respect to refreshments supplied during the election, except from the waiters?—No.

1133. Are you quite sure of that?—Quite sure, not a farthing.

1134. From nobody but the waiters?—No, each party paid everything

1135. Did Holmes pay for everything he took away?—Holmes never waited upon any of the rooms where drink was going on, he merely waited at the private rooms, he waited at Mr. Mills's private room, and I believe at Mr. Fowle's private room.

1136. How many rooms were there where drink was going on?—Four or five; four, I think.

1137. Who waited in those rooms where drink was going on?—I do not think I can call to mind the names of the waiters.

1138. Do you know Wetherall?—Yes.

1139. Did he wait in those rooms where drink was going on?—Yes.

1140. Did he bring you the money for all he took away?—Yes, he did.

1141. Was there no money left on his account?—I am quite sure.

1142. Was there a good deal of drinking?—Only one day.

1143. There was one day?—Yes.

1144. Which day do you say there was most taken?—I should think the polling day, but I cannot answer that question.

1145. Where did you keep the accounts during those three days?—Each one paid their own.

1146. Have you any account against the waiters?—No, they paid as they went along, they took the spirits or ale, and paid from their own pockets.

1147. Were any arrears left from day to day during the time of the election?—No.

1148. You swear that?—I swear that.

1149. Did you receive any money from Mr. William Taylor Cooper?——

> Mr. *Price* objected to the question on the ground of its tending to contradict Mr. Day's own witnesses.
>
> Mr. *Day* said his object was to get at the amounts paid.

1150. Mr. *Day.*] Did you receive any money from W. Taylor Cooper?—I do not know the name, I do not know a person of that name.

1151. You have lived at Northallerton for some years?—I do not know that name.

1152. How many years have you lived in Northallerton?—Twenty years.

1153. And have you not an auctioneer in that town of the name of Wm. Taylor Cooper?—There is a William Cooper, but I did not recollect at the moment.

1154. By the *Committee.*] Did you receive any money from him?—No, sir, not a farthing.

1155. Mr. *Day.*] That you are quite certain of?—Yes, sir.

1156. Do you know a man of the name of Abraham Heugh?—Yes, he is a farmer in the neighbourhood.

1157. Did you receive any money from him?—No, sir.

1158. Do you know Mr. Wm. Oliver?

> Mr. *Price* objected to the question, on the ground of its tending to contradict a former witness.
>
> The *Chairman* stated that he did not see why the witness should not be asked whether people did not pay her money, as it might have reference to other sums of money than those mentioned before.

1159. Mr. *Day.*] Did you receive any money from Wm. Oliver?—No, I have received no money from anybody but what they paid for their own refreshments.

1160. Did you know anything yourself about the payments made by Mr. Fowle?—No, I know the bill was paid.

1161. You were not present when it was paid?—I was not, I have a great undertaking; I cannot recollect. It is eight or nine months since the election.

1162. Do you remember sending the accounts in to Mr. Fowle?—No, I cannot state the amounts.

1163. I ask you, do you remember sending the accounts in?—Oh, yes; Mr. Fowle had his bill sent in, and it was paid.

1164. How many bills were sent in to Mr. Fowle?—Only for his private room, and what he had himself, and the posting.

1165. How many bills would that be?—It would be two, I think; there should be a great many bills for posting, because we got a great

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great many Ripon, Darlington, and all those places.

1166. Did he ever complain of the amounts of the bills sent in?—I never heard of complaints.

1167. Do you know whether he did?—No, I never heard.

1168. Have you any recollection what you charged him for his room?—No, I cannot answer that.

1169. It is down here, 72 *l.* 9 *s.* for the use of room. How did you get at that?—Mr. Clay would be able to answer that.

1170. You, as landlady, must surely know something about the charge for rooms; do you know what room it was?—It was a private room Mr. Fowle had for his own use in the election.

1171. You know which room it was; you could show it, I suppose?—Yes.

1172. What is it generally let for?—We do not often let it as a private room. It is used sometimes by commercial gentlemen, and sometimes by parties coming in just for the night.

1173. Is it a commercial room?—No.

1174. What room is it?—It is a sitting room which we have upstairs.

1175. What is it worth to let?—I cannot put any value upon it.

1176. When you do let it, what do you charge generally?—We have not let it at all. We keep it just for the parties that might come to the house. It is a country place, and they do not come for a long time.

1177. But when you let it, you do not let it for nothing?—No.

1178. What do you charge?—It depends upon the time. If they come in the night before, stay all night, and have breakfast and then go, we charge 7 *s.* 6 *d.*, perhaps 10 *s.* 6 *d.*; I cannot exactly say.

1179. 7 *s.* 6 *d.* or 10 *s.* 6 *d.*; which is it?—We have charged both. It depends upon what the parties are.

1180. As I suppose, 10 *s.* 6 *d.* would be the outside price you would charge a gentleman who rode there in a carriage and four; 7 *s.* 6 *d.* a day is what you have charged?—Not for a day.

1181. Suppose they come at night, and go the next night; what do you charge for the 24 hours?—I cannot say exactly.

1182. What is your charge for the use of this room; I do not want to pin you to a shilling, for a person staying one night and one day; what did you charge Mr. Fowle?—I do not know; I cannot answer the question truthfully.

1183. Look at this (*producing a paper*), and see if it will assist you?—I had not the doing of it, Mr. Clay can answer that.

1184. Have you any notion of what was charged him for the use of this room; have you any idea?—I am trying to recollect, if you will give me time, how long he was on.

1185. By the *Committee.*] How much a day?—We went by the lump.

1186. Mr. *Day.*] How do you get the 9 *s.* then; that does not look as if it was a lump sum?—It was put down separately.

1187. Did you, your husband, and Miss Metcalfe have a consultation together, and get at the 72 *l.* 9 *s.* that way?—I am sure I cannot recollect how long the election continued; and when they commenced canvassing I cannot recollect.

1188. Here is an account for use of rooms; can you tell me how you got at those figures, 72 *l.* 9 *s.* I suppose your husband consulted you on the subject. Do you mean to say you have no recollection at all on the subject?—No, sir, I take the management of providing for the house; I do not undertake the book-keeping; I may be there sometimes, but I do not take the management of the book-keeping.

1189. This is not book-keeping; this is the hire of a room. Would you enter it from day to day in a book; this room now; where was it entered?—In the book that was torn up.

Cross-examined by Mr. *Price.*

1190. I dare say you had not the least idea you would be bothered with so many questions?—Not the least; that I should be so taxed.

1191. Do you happen to know whether, in Mr. Mills's bill, anything was charged to him for the use of his private room, or was all included in this?—I believe it is; so that there would be two sitting-rooms and dining and breakfast rooms.

1192. To the best of your recollection, in Mr. Mills's bill there is nothing charged for the use of his sitting-room?—Yes.

1193. There would be three rooms, in fact?—Yes.

1194. I understand you to say, that this room which Mr. Fowle had is the room in which commercial gentlemen go when you are full?—Yes.

1195. When Mr. Fowle was there, no commercial gentlemen went into the room?—No.

1196. He had it for his exclusive use?—Yes; for seven or eight weeks, I believe.

1197. I do not think it was so long; but it was more than a month?—Yes.

1198. Do you know he locked it up at night, and took the key away?—Yes.

1199. It was as much Mr. Fowle's room during those four weeks as any room in that house?—Yes.

1200. You were entirely deprived of it?—Yes.

1201. You were telling my friend about Mr. Fowle giving instructions as to the drinking; what was that; he did not want to hear it?—He desired no one to be treated. Each one that came on the polling day had a little cold meat and bread and cheese, and we charged 1 *s.* each.

1202. When was that?—In the middle of the day.

1203. Those being the instructions of Mr. Fowle, did you carry them out by seeing that no one was treated?—I did indeed.

1204. Did you insist on the waiters paying for everything, or giving the name of some one?—Yes; but those that did not pay, came back to pay when the parties paid them.

1205. Do you know of instances in which drink was brought back into the bar because the waiter said the people would not pay?—Yes, there was a female waiter that did that.

1206. Did they want it to be put down to Mr. Mills?—Yes; there is a class of people that think they ought to be treated.

1207. Then you were asked about these slips of paper; you called it "cap paper;" that is what

what we call lawyers' foolscap; you bought these slips of paper, and put down Mr. Fowle's account on them?—Yes.

1208. Three or four sheets?—Yes, four.

1209. Whatever became of them; whether they were burnt, or made into lighters; was that long before you heard of a Speaker's warrant?—Oh dear yes; I never thought of such a thing.

1210. Had it anything to do with this?—I can take my oath it had not.

1211. You thought it was not necessary to keep it?—Just so.

1212. Do you know as to the way in which this was made out in a lump sum; why that was?—I do not know.

1213. You have been asked about keeping books for other things, and so on; those are small thin books?—Yes.

1214. I hope my account is all squared off?—Oh yes, sir.

Re-examined by Mr. *Day*.

1215. My friend has been asking you about the instructions from Mr. Fowle; when did you get those instructions from him?—Respecting what?

1216. You told my friend that nobody was to have any liquor unless they paid for it?—At the time of the election, and perhaps a few days before; I cannot say exactly; but I believe it would be before; indeed I am sure of it.

1217. What were the instructions he gave you as to the provisions; the 1 *s.*?—That was our own. Mr. Fowle did not know there was a dinner provided, or not.

1218. Just tell me what you did say about the provisions?—I said there was parties had luncheon, bread and cheese and cold beef, and we charged each a shilling; and many came in and wanted refreshment.

1219. That would include the liquor?—No.

1220. Was any liquor supplied?—None but what was paid for.

1221. That you are perfectly certain of?—Yes.

[The Witness withdrew.

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Benjamin Carr was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

1222. Are you a farmer residing at Yarm?—I live at Yarm.

1223. Were you a Northallerton voter?—Yes.

1224. Did you vote upon the last election?—Yes.

1225. For whom did you vote?—Mr. Mills.

1226. Do you remember the polling day?—Not exactly, I think.

1227. You remember the day when the polling took place?—Yes, I remember there was a polling day; but I cannot mention the date.

1228. But you voted?—Yes.

1229. Did Mr. Johnson come to you on that day?—Yes.

1230. Mr. Johnson, the banker?—Yes.

1231. Did you go with him to the Golden Lion?—Yes.

1232. Did you breakfast there?—Yes.

1233. With whom?—There was one or two there. I think the first that sat down was myself.

1234. What were their names, do you recollect?—One James Cronston had breakfast with me.

1235. What is he?—He is a farmer, and lives, I believe, in the parish of Brompton.

1236. A voter?—Yes.

1237. And who else?—There was another two, but I cannot say who they were at present.

1238. Voters?—I cannot say.

1239. What is your opinion; were they voters?—They were parties that perhaps I did not know.

1240. Did you know?—I did not. I knew this James Cronston.

1241. There were one or two others, were there?—Yes.

1242. Did you all breakfast together?—Yes, I believe we did. I think I had about done when they came in.

1243. And then they begun?—Yes.

1244. Who paid for it?—I do not know, I am sure.

1245. Have you not a notion?—I did not pay anything.

1246. I do not expect that you did. You have no idea?—I cannot say that; who paid for it.

1247. Have you no idea?—No.

1248. At all events you did not?—No, I did not.

1249. Did you dine anywhere that day?—Yes, I dined at the "Golden Lion" as well.

1250. You still stuck to the "Golden Lion"?—Yes.

1251. Who took you to dinner?—Mr. Soffett.

1252. Miles Soffett took you there?—Yes.

1253. Who else dined?—I do not know. There was a good few.

1254. I suppose, in your part of the world, that means a good many?—Yes, perhaps a score.

1255. You do not mean a good few, but several people?—I was not there the whole time. I got my dinner, and I came away, but I should think there would be a score the time I was there.

1256. Did others come in?—Yes, they did, I believe.

1257. Was there a dinner provided for them?—We had some beef.

1258. Well, that is not such a bad thing. Anything to drink?—No, I do not think we had anything to drink at that time at dinner.

1259. What had you to drink?—We had some brandy and water before.

1260. A little before, just as a stimulant?—Yes.

1261. And then a little after, by way of a corrective?—Of course. I do not know that I had any after. I went out and left them.

1262. After you had had your brandy and water?—No, I had none after dinner, I believe. I had some before.

1263. Did not that leave sufficient recollection to know whether you had any after?—I came out as soon as I had my dinner.

1264. Did you leave the people to drink brandy and water?—I left them at the dinner.

1265. Did

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1265. Did you know them?—I knew some parties.

1266. They were voters, were they not?—I suppose so.

1267. Who paid for the dinners?—I do not know. I did not pay anything. I do not know who paid for it.

1268. For any of them?—No, I do not. I do not know who paid.

1269. Have you ever been asked to pay for their dinner?—No.

1270. I suppose you do not expect to be?—No, and I hope I never shall.

1271. Have you been to Fowle's office?—Yes.

1272. Two or three days ago. How came you to go there?—I went to Mr. Fowle's office because he had my agreement.

1273. What agreement?—The agreement of the lease belonging to my farm. I am not a farmer now; I have dropped the trade; the landlord sold me out.

1274. What are you now?—I go to labouring work sometimes.

1275. When you went to Fowle's, what did he want with you?—He did not want anything with me. Mr. Fowle had my agreement.

1276. Did he tell you anything about your evidence here?—No.

1277. Did he ask you whether you had been served with a warrant?—No, I believe not.

1278. Recollect, please; it is not very long ago?—I had got the warrant.

1279. Did you show it to him?—I cannot say that I did.

1280. Did you tell him you had got it?—The warrant I got some time in February.

1281. Did you tell Fowle you got it?—Perhaps so. I cannot say exactly, I am sure.

1282. Try and recollect. There is no harm?—I cannot say I showed him it.

1283. Did you tell him you got it?—I perhaps would.

1284. What did he say to you?——

Mr. *Price* objected to the question.

Mr. Serjeant *Ballantine* was heard in support of the question.

Mr. *Price* was heard in reply.

The *Chairman* stated that, in the opinion of the Committee, the question should not be put.

Cross-examined by Mr. *Price*.

1285. You had a breakfast, had you, at the "Golden Lion"?—Yes.

1286. And then you voted?—I voted before I got my breakfast.

1287. You voted before your breakfast?—Yes, of course I did.

1288. That gave you an appetite, I have no doubt. You did not pay for that, and then you had a dinner, and you did not pay for that?—No, of course not.

1289. Mrs. Clay has told us that, on that day, the polling day, there was a dinner provided at the "Golden Lion" at 1*s.* a head?—I did not pay anything.

1290. Do you know whether that was the dinner?—I cannot say; I never heard about it.

1291. It was a dinner at which a number of other voters were dining after they voted?—I do not know; I got my dinner.

Re-examined by Mr. Serjeant *Ballantine*.

1292. Where had you slept the nomination night?—I slept at home.

1293. You came over in the morning?—Yes; they fetched me.

1294. Who fetched you?—It was one of Mr. Clay's busses, I think.

1295. Mr. *Price*.] You were living away from Northallerton, as I understand?—Four miles off. I did not inquire whose it was.

[The Witness withdrew.

JOHN WILLIAM ROBINSON, called.

J. W. Robinson.

Before this Witness was sworn, Mr. *Price* objected to his being examined on the ground that he had been present during a portion of the proceedings of the Committee.

The *Chairman* inquired whether the Witness had been present while any portion of the evidence had been given.

The Witness said that he had been present only during the delivery of counsel's opening speech.

Mr. *Price* stated, that under the circumstances, he would withdraw his objection.

The Witness was then sworn.

Examined by Mr. Serjeant *Ballantine*.

1296. ARE you a Commercial Traveller?—I am an agent.

1297. Do you know Northallerton; have you travelled there in the course of your business?—Yes, I have been there a number of times; two or three times a year, for some years past.

1298. Do you remember the last Northallerton election?—I was there about that time.

1299. Before or after the election?—Before the election.

1300. Did you go to the "Golden Lion"?—Yes; I was there on the 26th June.

1301. You went with Smith Leing, did you not?—Yes.

1302. Is he the manager for Maynard, Fowle & Company?—Yes.

1303. What does that firm consist of?—Maynard and Fowle; I do not know who besides.

1304. You do not know who besides Maynard and Fowle?—No.

1305. What is the firm?—Maynard, Fowle & Company.

1306. But what are they?—Linen manufacturers.

1307. At Brompton?—At Brompton, near Northallerton.

1308. You do not know whether Mr. Mills has anything to do with it?—No; I never heard of it.

1309. Did you dine in the commercial room?—Yes; on that day, after I had been at Brompton.

1310. You dined, and, as I believe they always do at the "Golden Lion," you dined very well?—Yes.

1311. And you had some spirits?—Yes, we had some dinner beer and spirits; I do not think that we had any wine.

1312. Did you call for your bill?—I called for my bill after dinner.

1313. What did they say to you?—

Mr. *Price*: That is rather vague.

1314. Mr.

1314. Mr. Serjeant *Ballantine.*] What did whoever brought the bill say?—When I inquired for the bill, they said, "I thought that you"——

Mr. *Price* objected to the question.

1315. Mr. Serjeant *Ballantine.*] Then I will put it in another way; I think the objection is sound. Did they bring you any bill at first; do not tell us what they said; did they bring you any bill at first?—I inquired for my bill.

1316. I will not press it?—I asked for my bill.

1317. You asked for your bill?—I did.

1318. You did pay at last?—I paid my bill.

1319. Did they find out you were one of Mills' voters?—

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Mr. *Price* objected to the question.

Mr. Serjeant *Ballantine* withdrew the question.

[The Witness withdrew.

[Adjourned till To-morrow, at Eleven o'clock.

Wednesday, 25th April 1866.

GEORGE SCLATER-BOOTH, Esq., in the Chair.

The Names of the Members were called over:—All present.

Mr. *Price* inquired whether the Committee understood that any order had been made with reference to the production of the books kept by Mr. Clay.

The *Chairman* stated that the Committee had not been applied to to make any order, or to interfere in any way in the matter.

Joseph Hinstock, sworn; Examined by Mr. *Day.*

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1320. Were you Waiter at the "Golden Lion" at the time of the last election, in July?—Yes, I was.

1321. Head Waiter, I believe?—Yes, I was.

1322. And I believe you are so still?—Yes.

1323. What was your particular business at the nomination day, and the polling day, and the day before the nomination day?—I was waiting.

1324. In what particular rooms did you wait; in any particular rooms, or did you wait generally?—First one, and then another.

1325. You superintended the waiting all over the house?—Yes.

1326. How many sitting rooms had you that day?—How many sitting rooms had we on the election day?

1327. Yes?—There were three or four, I suppose.

1328. Do you remember the room Mr. Fowle had?—I do not know that he had any room in particular.

1329. Had not Mr. Fowle a room there for some weeks, about the time of the election?—There was not a committee room at all.

1330. Did Mr. Fowle occupy a room in the inn for some weeks, about that time?—Well, I do not know about that.

1331. By the *Committee.*] Will you attend to the question, and answer it, if you can?—Mr. Fowle came, and he went into a room if he thought proper and good.

1332. Mr. *Day.*] And did he always think it proper and good to go into the same room; was there one room that he used regularly?—No, he did not stick to one room.

1333. You mean to say that he did not use one room?—Yes.

1334. What do you mean to say, Mr. Hinstock?—If it suited him he would go in it, either up stairs or down; there was a sitting room up stairs.

1335. Which he used, did he not?—Yes, sometimes.

1336. How long was he frequenting the house, about this time?—I am sure I cannot answer that question.

1337. Did you wait upon him at all?—Yes.

1338. Take up refreshments to him?—No; I do not know that ever I took up anything, unless it was a glass of something, and I got paid for it.

1339. When did you take him a glass of something, when you got paid for it?—Perhaps No. 1, as we call it.

1340. Is that room in which you always served Mr. Fowle?—Yes.

1341. Is that a room on the first floor?—Yes.

1342. Did you see a paper on the door of that room?—No, I did not.

1343. Was it marked "committee room"?—No, it was not.

1344. Was there a man stationed at the door?—Well, I rather think there was.

1345. Do you know the man's name?—Yes, I do.

 1346. What

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1346. What is his name?—Thornton.

1347. What is his Christian name?—John.

1348. How many days do you think John Thornton was standing outside the door?—I am sure I cannot answer that question now.

1349. Did you see him there for a long time?—No; I cannot answer that question.

1350. Was he there for weeks?—No, he was not.

1351. Was he there on the day before the nomination day?—That I cannot swear now, because them things go out of my head; I would tell you in a minute.

1352. Did you see him there more than one day?—Yes, I daresay one or two.

1353. As head waiter, you were rather curious to know what a man was standing outside one of the doors for, were you not; have you any idea what he was there for?—Well, I expect not to let any one go in.

1354. Who were the people whom he was to let go in?—I do not know.

1355. Mr. *Price.*] How can the waiter know that?—It is impossible; I cannot answer that question.

1356. Mr. *Day.*] I will withdraw that question. Whom did he let go in?—I do not know, it is impossible for me to say.

1357. Did you see him let anybody in?—No, I did not; I might see, but I do not know now.

1358. Have you any recollection of any body going into that room?—I have none at all.

1359. You saw nobody in the room?—I did not say that.

1360. Did you ever go in there yourself?—Yes.

1361. When you went into the room, who did you see?—I cannot answer that question.

1362. Did you see Mr. Fowle?—I should think I should.

1363. By the *Committee.*] Did you see him?—Yes.

1364. Mr. *Day.*] Is that Mr. William Fowle?—Yes, I should say I should see him.

1365. Mr. Thomas Fowle; did you see him there?—Yes, I suppose so.

1366. Did you see Miles Soppet there?—Yes.

1367. And Thompson William Cade?—Yes.

1368. And Joseph Marshall?—I do not know any one of that name.

1369. Do you know a Mr. Marshall, of Northallerton?—I know a Marshall, of Northallerton, but I do not know who you are alluding to; but it is a year since I saw him, if it is the same party you mean.

1370. A friend of Mr. Hutton's?—I know now who you mean.

1371. Did you see him there; Mr. Marshall, a friend of Mr. Hutton?—Yes, I cannot say that I did; I know Mr. Marshall.

1372. Did you see Mr. Thomas Johnson, the banker?—I cannot answer that question; I might see him; I cannot say now.

1373. You know Mr. Johnson very well?—Yes.

1374. Did you see him in that room?—I cannot say that I did; I might.

1375. Do you think you did?—I could not swear it.

1376. What is your belief about it?—I do not know; I cannot pretend to pick every body out and to take notice; if I knew I would tell you in a minute.

1377. Have you any recollection of Mr. Johnson being there?—I cannot say I have not; he might be there or no, but I do not know.

1378. Smith Leing, jun., did you see him there?—Yes, I think I have seen him there.

1379. William Taylor Cooper?—Yes, I think I have.

1380. Matthew Shaw?—I cannot remember.

1381. Do you know Matthew Shaw?—Yes, I do; the butcher.

1382. Did you see the butcher in there?—He is a butcher.

1383. Did you not see him there?—I cannot say that I did; I might, but forget; I do not know now.

1384. Mr. Joseph Pearson Holt, did you see him there?—I fancy I have.

1385. The attorney?—Yes.

1386. And Thomas Simpson, did you see him there?—I do not know; it is impossible to answer them questions.

1387. William Dunning?—I know the name, I may know him by sight, but I do not know who it is.

1388. Do you know Mr. Dunning, of Northallerton?—What is his first name?

1389. William; I asked you?—I do not know him, to my knowledge.

1390. Do you know any Mr. Dunning, a farmer, of Low Moor?—I may know him by sight; I fancy I do know him.

Mr. *Price* inquired whether the name of William Dunning appeared on the bribery list.

Mr. *Day* replied that he was dealing with the question of treating, and was therefore entitled to ask the question.

1391. Mr. *Day.*] I will ask you this: William Dunning, farmer, of Low Moor, a tenant of Lord Harewood's; do you know him?—I think I do know him.

1392. You do know him?—Yes.

1393. Did you see him in this room?—I will not answer that question, for I cannot, or else I would in a minute.

1394. George Chapman, do you remember him?—I know him, but I do not remember seeing him; I might.

1395. Henry Smith?—Henry Smith, of Brompton; I do not know him to my knowledge.

1396. William Kirby?—Of Boston; I do not know anything of him being in.

1397. William Lightfoot?—I do not know of him; of course I may know him, but I cannot say.

1398. George Oliver?—Yes, I know George Oliver.

1399. Was he there?—I cannot say now.

1400. William Oliver?—Yes, two brothers.

1401. Was William there?—I cannot say; he might be there or no.

1402. I must ask you whether you did not see the two Olivers there, almost every day?—I cannot answer that question.

1403. Do you know them well?—Yes.

1404. Very well?—Yes, very well.

1405. Have you any doubt in your mind that you saw them in that room?—Well, I would not say they were not, and I will not say they were.

1406. Which do you think; that they were there or not, according to the best of your recollection?—I should fancy perhaps they might be.

1407. You

1407. You have very little doubt that they were?—No, I could not swear; if put on my oath I would not swear it.

1408. But if you were not on your oath, you would have no doubt about it?—Well, I think there might be that.

1409. You have no doubt about it?—I cannot say; it is impossible for me to say who was there and who was not.

1410. Did you take any refreshments into that room?—I took what they ordered, and I got paid for it.

1411. Did you take much refreshments into that room?—I am sure I cannot tell; I took what I was ordered.

1412. It might be little or much?—It is impossible for me to answer that question now.

1413. What sort of refreshments did you take up there?—Anything there was, liquor-way.

1414. Nearly all liquor, I suppose?—There was nothing else.

1415. How much liquor do you think you took up there in a day?—I cannot answer that question.

1416. Do you think you took up more than one glass?—I should think so.

1417. Do you think a hundred glasses a-day?—No, I should think not.

1418. Was there a large trade done in the room, and a great deal drunk?—No, there was not.

1419. About how many people were there there at a time when you went in; twenty?—No, there was not perhaps half-a-dozen or a dozen.

1420. Were they generally all drinking?—No.

1421. I suppose they all had glasses?—No.

Mr. *Price* objected to the Witness being led.

1422. Mr. *Day.*] How many days were you taking up things to the room?—I cannot answer that question.

1423. You have no recollection of any sort?—No.

1424. Who paid you for the things you did take up?—Them that got them.

1425. Have you any recollection of anybody paying you any money for anything that you took up there?—Money was laying down on the table when I went and took the liquor.

1426. Will you name any person who paid you any money for anything you took up there?—Yes, I will; Mr. Naseby was one.

1427. He paid you?—Yes, he did.

1428. Any body else?—I should not have known that, but he told me himself.

1429. Nobody else paid you for anything?—It is impossible for me to pick them out.

1430. You do not remember anybody else, and you would not remember Naseby but that he told you himself; when did he tell you himself that he paid you?—About a week ago; when I get paid I have done with it; it goes out of my head; it is impossible for me to carry all those things in my head.

1431. You have no recollection of any one of those perons paying you any money?—I have a recollection I got paid.

1432. But you cannot name a single person who paid you any money; did Mr. Fowle ever give you any money?—Mr. Fowle paid me what he got.

1433. Have you any recollection of Mr. Fowle paying you anything; now, be careful?—Yes, I will be careful; they paid me amongst them; I do not know who paid me.

1434. Did Fowle pay you anything?—I cannot answer that question.

1435. By the *Committee.*] You just said he paid for what he got?—Yes.

1436. Surely you do recollect that he paid for what he had?—You know it was put down on the table; I cannot pick a single individual out.

1437. Mr. *Day.*] Did you ever get a lump sum from Mr. Fowle, anything like a sovereign, or anything of that sort?—Me?

1438. Yes?—No.

1439. You mean to say you were paid for each glass as you went along?—It was laid down on the table for me to take up; what I had taken in it was there ready for me; that is all I know.

1440. How was it ready for you; did you take the glasses in in a wholesale way, glass by glass, or a dozen glasses at a time?—Perhaps three or four, or five, or half-a-dozen.

1441. And then you found the money in one sum for you?—Yes, ready there for me.

1442. As you went in with your glasses, there was the money?—Yes.

1443. I understand no particular person paid you the money, but you saw the money on the table, took it up, and went away?—Yes, I saw it was right, and I gave change if there was too much.

1444. You remember giving change; do you remember any person taking your change?—I left it on the table; I cannot answer that question.

1445. You put your change down where you saw the money?—Yes, of course.

1446. Did you give in any names at the bar?—No; I said I have got so many brandies and lemonade, or whatever it was; then I had to settle when I went back in the bar.

1447. Up in Mr. Fowle's room they drank this brandy and lemonade, did they; did you give in any names at the bar of persons who had not paid?—No, I did not; I got paid.

1448. Did you ever see any entries made in any book at the bar?—No, I did not.

1449. Did you ever see entries made in any book at the bar?—No, I did not.

1450. At any time; I am not speaking of the election time; but did they ever make entries in the book?—Yes, of course.

1451. I suppose sometimes you are not paid as you go in?—Gentlemen stopping in the house, you know, do not.

1452. You gave in no names on this occasion?—I did not.

1453. Do you remember the polling day?—Yes, I do.

1454. You remember that well, I suppose?—Well, I remember the polling day.

1455. Did you supply any liquor at any of the other rooms besides Mr. Fowle's on the polling day?—Yes, I went first to one room and then another.

1456. How did you get paid for the liquor you took to the other rooms?—I got paid as I went on, because Mr. Clay told me distinctly, "Mind what you are about; it is bribery."

1457. Mr. Clay cautioned you beforehand?—Yes, he did, and I knew what I was doing then.

1458. Who paid you in the other rooms?—I cannot answer that; I got paid as I went on.

1459. I want to know whether the people paid you

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you who drank the liquor, or whether you found it on the tables?—No; that was quite a different thing altogether.

1460. Then explain how it was and what it was?—Of course there was all sorts there.

1461. What do you mean by all sorts?—Well, I do not know.

1462. Were they not all sorts up in Mr. Fowles' room; there seems to have been a butcher and a banker?—I do not know whether the butcher or banker was there either.

1463. What do you mean by all sorts in the other room?—You know as well as me; an election day.

1464. By the *Committee.*] Tell us what you mean; there is no harm; whom did you see?—I cannot tell who was there.

1465. What did you mean by saying there was all sorts; what was in your mind when you made use of that expression?—Well, I do not know; a deal of people I did not know; and them up stairs in Mr. Fowle's room, I should know them.

1466. Mr. *Day.*] Do you remember how you got paid by these all sorts; how did you get your money?—I got paid as I went on.

1467. In the same way; was the money put down on the table?—No, it was not.

1468. Did they themselves pay you?—Those were strangers; it was a different thing altogether.

1469. All strangers?—Not all strangers.

1470. Just explain to me; in Mr. Fowle's room up stairs they were not all sorts?—Of course I should know that party up there.

1471. Was there any other room occupied by people whom you knew who were not strangers?—All the rooms down stairs were going; two or three rooms.

1472. I just want to know whether the people in these other rooms, each of them, paid you, or whether you got your money as you did up stairs?—No, I got paid as I went on downstairs, and the money was on the table for me up stairs when I went up with liquor; it was there ready for me.

1473. Do I understand you that each person who drank in the other rooms paid you?—Yes.

1474. Do you remember the name of any person who you venture to swear paid you in the lower rooms?—No, I cannot answer that question; it is impossible; I would in a minute if I could.

1475. Did you have breakfast on the nomination day?—No, I think not.

1476. Did you have dinner on the nomination day?—Yes, lunch.

1477. Did you manage that?—Yes.

1478. Who ordered the lunch?—We put it out on speculation.

1479. You did not put it out on speculation in Mr. Fowle's room?—No, not to Mr. Mills' either.

1480. Mr. Fowle had lunch that day, had he not?—I cannot answer that question.

1481. Was not there a lunch up in his room?—I cannot answer that now, I am sure.

1482. Have you no recollection where was the luncheon spread?—In what we call the long room.

1483. Did Mr. Fowle have his luncheon there?—I do not think he had.

1484. Who was at the head of the table there?—I do not know.

1485. Who were there; do you remember anybody there; any person who was there for luncheon?—I did not take that notice.

1486. By the *Committee.*] Surely you can recollect some of the people you saw at the luncheon there?—It is impossible.

1487. Mr. *Day.*] Do you remember any person; if you do not, you can say so, that you do not remember anybody at the luncheon?—I do not know now.

1488. Was Benjamin Carr there?—Yes.

1489. Who paid for Benjamin Carr's breakfast?—He has to pay for it yet.

1490. Of course you asked him for it?—No, I did not; he slipped out; I have that in my head.

1491. He gave you the slip at the breakfast, did he?—I think it was lunch; we charged them 1 *s.* a-piece.

1492. Did he come back again and dine there?—No, he had lunch.

1493. Did he dine there the next day?—No, I cannot say.

1494. Or breakfast there?—Not to my knowledge; I daresay you will get him.

1495. Was it on the nomination day or the polling day that you say he lunched and slipped away?—The polling day.

1496. Did he breakfast there on the polling day?—No, not to my knowledge, I think.

1497. Did he pay you for breakfast on the polling day?—I do not think he had breakfast.

1498. You do not remember his having breakfast?—I do not know.

1499. Do you remember getting money for his breakfast on the polling day?—No.

1500. Do you remember the name of any other person there either at breakfast or dinner?—If you could mention any names I would try to pick them out.

1501. James Cranston, was he there?—I do not know him by that name; I may know him.

1502. Do you remember the name of any other person besides Carr who was there?—No, I cannot answer that question, because them things go out of my head; if I get paid as I go on, one thing drives another out; I am sure I would be very glad to give you a straightforward answer.

1503. Did you supply any drink there?—Where?

1504. At the luncheon or dinner?—I took them ale, but no spirit.

1505. There was no spirit had there?—No.

1506. That you are quite sure of?—To the best of my knowledge.

1507. Did anybody call for spirit, then?—I am sure it is impossible for me to answer that question, to speak the truth; there might and there might not.

1508. Do you remember what Benjamin Carr owes you?—He owes me for lunch; at least, Mr. Clay.

1509. What does he owe you?—We charged 1 *s.* each; and he slipped out.

1510. That is all he owes you?—Yes.

1511. Was that for breakfast or lunch?—Lunch.

1512. Does he owe you for anything else there?—I do not know; I am sure I do not know of anything.

1513. Was Thomas Hood there?—I cannot say I know him; I may know him when I see him.

1514. Do you remember Thomas Hood going away from the house in a carriage?—No, I do not.

1515. Was George Denning there?—Yes.

1516. At the breakfast?—I do not know.

1517. At the dinner or luncheon?—I cannot answer that question.

1518. You

1518. You have no recollection of him?—No.

1519. Was Hewson Jackson there?—I know Jackson; I do not know whether it is the same or not.

1520. Hewson Jackson?—Is it the milkman?

1521. Yes?—Yes, I know him.

1522. Was he at the breakfast or the dinner?—I do not remember.

1523. Do you remember his leaving in a carriage on the nomination day?—No, I do not; I might for all that, but I do not know him.

1524. Do I understand that no accounts were kept at all of this eating and drinking?—I do not know; I told him how many had, and I had to answer for the money; that is all.

1525. You do not know of any accounts?—No.

1526. Did you get any orders for these things from either of the Mr. Fowle's?—No, he never ordered anything of me.

1527. Did the Olivers order anything of you?—No, I think not.

1528. How came you to take things up to Mr. Fowle that he did not order?—I did not say that.

1529. I ask you whether you received any orders from Mr. Fowle; did you receive any orders from Mr. Fowle?—I do not remember.

1530. How came you to take things up to his room?—Do you mean lunch?

1531. Or any other refreshments?—I said, I took liquor up; I do not know that I took any lunch up to him.

1532. You got orders from him for liquor?—Yes, what he wanted.

1533. Do you remember what orders you got from him?—It is impossible; I cannot answer that.

1534. Did you get many orders a day from him?—No.

1535. Did he order more drink; did he order as much as two or three dozen glasses of brandy and water to his room?—No, I should think not.

1536. Not in a day?—I should think not.

1537. Who did you get your orders from for these refreshments?—They that wanted them; I cannot tell you.

1538. Give me the name of any one who ordered anything up there?—I cannot now; if I had known that I should have been here at the time I should have been more cautious, and I might have given you a few names.

1539. How long is it since you were first aware that you were coming here?—I should think it would be nearly a month ago, and I never paid any attention to it at all, for my hands is as clean as can be; I do not know what passed.

1540. Will you tell me, to the best of your recollection, do you not remember any orders being given to you by some of these parties for drink?—No, I do not; of course I was so full that it is impossible for me to tell you.

1541. You have no recollection of any orders given at all?—I have not; if you take me and lock me up I shall stick to it. I would tell you with the biggest of pleasure if I could.

Cross-examined by Mr. *Price*.

1542. As I understand, on the polling day, by Mrs. Clay's or Mr. Clay's directions, you laid out a lunch on speculation?—I did.

1543. Were the principal people who came at that lunch the out-voters, who lived in the country?—Yes.

1544. Strangers, not the townsmen?—It is impossible for me to mention names. *J. Hinstock.* 25 April 1866.

1545. Therefore it is quite impossible for you to speak to their names?—Of course I could not.

1546. Was it laid out for the purpose of the out-voters getting their luncheon?—It was laid out on speculation for the out-voters, or anybody that liked.

1547. How many do you think had their luncheon there, and paid the 1*s.*?—I assure you I cannot answer now.

1548. Twenty or 30?—Yes; more I should think.

1549. And you accounted for all the money except this man Carr's?—I did.

1550. Did you collect the shillings at the door as they went away?—Yes, and I was called away once.

1551. You were called away once; and did you leave somebody else in your place to take the shillings?—Yes, I did.

1552. Carr slipped away before you began to collect the shillings?—I think he slipped away at the time my back was turned. I had two plates to gather the shillings on.

1553. With the exception of Carr, so far as you recollect, did all the other people pay you for what they had had?—Yes, unless anybody slipped away in the same way.

1554. Unless anybody played you the same dirty trick?—Yes.

1555. So much for the lunch. You say you received a caution from Mr. Clay; did you yourself at any time, when there were any persons in the house, take back any liquor because they refused to pay for it themselves; do you remember that you ever did that?—I know there was some went back.

1556. You do not know whether you did it yourself?—No, I cannot say.

1557. You know that was so, by some of the waiters?—Yes.

1558. Was that in consequence of orders given by Mr. Clay, that everybody was to pay for their liquor?—Yes.

1559. With regard to these gentlemen who were in this room up stairs, is that the room which we have heard described as the room sometimes used as the commercial room?—Yes, it is.

1560. Was that the room that Mr. Fowle had, as we have been told, to transact the business of the election?—Yes.

1561. You say you cannot recollect the persons you saw up in the room, but you may have seen persons there talking with him?—Of course.

1562. And they have had refreshments?—I am sure I do not know whether they had or not, upon my word.

1563. Whatever it was you took up you were paid for at the time?—

1564. You are quite sure there was no paper on the door of the room, saying that it was a committee room?—There was not; there used to be formerly printed papers, but there was not one there this time.

Re-examined by Mr. *Day*.

1565. Do you know what the room was; what it was used for?—It was used for anything.

1566. Thornton was there to prevent anyone going in?—Anybody that wanted to go into it, I suppose.

1567. Do you know what the room was used for?—

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for?—Mr. Fowle used to make use of it when he came.

1568. Do you mean to tell the Committee that you have no idea what the room was used for?—I suppose electioneering matters; that is all I know.

1569. Was it not the committee-room?—There was no committee at all.

1570. Was it not used as a committee-room?—

Mr. *Price* objected to the question.

[The Witness withdrew.

Mr. *James* applied for an order upon Mr. Clay to produce his books.

The *Chairman* stated that the Committee had understood that there would be no necessity for an application to the Committee, as it had been agreed that the books, if necessary, were to be sent for.

Mr. *Price* stated that he had no objection to the books being produced, but that he had no control over Mr. Clay; if the Committee intimated that Mr. Clay ought to bring them, no doubt they would be brought.

JOHN CLAY, re-called; Examined by Mr. *James*, as follows:

J. Clay.

1571. HAVE you got your books?—No.

1572. Why not?—Because I understood that you were going to send for them. I have not telegraphed for them, I assure you. You told me you would send for them.

(*The Witness was then sworn.*)

1573. Mr. *James.*] Have you got your books?—No.

1574. Have you taken any steps to get them?—No.

1575. You and your wife, and niece, Miss Medcalfe, remain in London, I presume?—They do.

Mr. *James.*] All I ask is, that an order should be made on this man to produce his books.

The *Witness.*] I understood that you were going to send for them.

The *Chairman* stated that, if an order was necessary, the Committee would grant it, as they were of opinion the books certainly ought to be produced.

Mr. *James* said he must press for a formal order.

1576. *Chairman.*] (To the *Witness*). You must understand that you are bound to produce these books. You may have thought, or not, that they were necessary, but you are bound to produce them on the Speaker's warrant. Therefore, if you do not produce them under the Speaker's warrant, you will suffer very severe consequences.—I understood that gentleman to say that he would telegraph last night.

1577. Never mind what he said; that is the decision of the Committee; can you telegraph to-day?—I can telegraph, but I do not know who to telegraph to.

1578. Have you anyone in possession of the house?—Two children, and seven pair of post-horses standing still doing nothing.

1579. There is nobody in charge of the house?—Only two young girls.

1580. Mr. *James.*] Only two children in charge of the house?—They are quite children.

1581. They attend to the house?—They are there merely to keep the house open.

1582. We must have the books here by to-morrow morning, and you must go and get them?—Then you must pay the expenses.

Mr. *Price* contended that the expenses of the Witness ought to be paid by the petitioners.

Mr. *James* contended that they ought not.

After some discussion, it was understood that the Witness should obtain the books in question by to-morrow morning.

[The Witness withdrew.

WILLIAM LONG, sworn; Examined by Mr. *H. James.*

W. Long.

1583. YOU are a Brickmaker, residing at Stockton?—Yes.

1584. Have you a vote also for the borough of Northallerton?—Yes.

1585. Did you at any time, shortly before the election, go to the "Golden Lion"?—Yes.

1586. When was that?—It was on a Saturday night. I do not know whether it was a week and a few days, or a fortnight and a few days, before the nomination.

1587. You say it was on a Saturday night, but you are not sure whether it was either one or two Saturday nights before the election?—No, I am not certain.

1588. When you went to the "Golden Lion," what room did you go into?—I went into what is called the first room on the right hand side as you went in.

1589. On the ground floor?—Yes.

1590. Were there other people in the room?—Yes, there were several people in the room, the room was full, or nearly so.

1591. Were they voters or not, to your knowledge, any of them?—Yes, they were chiefly voters; not all, quite.

1592. What was going on in the room?—There was nothing going on but drinking.

1593. Did you have anything to drink?—Yes, I had either one or two glasses of rum; I do not know which.

1594. Was your brother with you?—Yes.

1595. John Long?—Yes.

1596. Is he a voter?—No.

1597. Was there a man named William Thompson?—Yes.

1598. Of Brompton?—Yes.

1599. Is he a voter?—I believe his vote is objected to.

1600. Since; but was he at the time of the election or before?—I do not know that he had a vote.

1601. Thomas Wright?—Yes, he was there.

1602. Is he a voter?—Yes.

1603. Henry Smith?—Yes.

1604. Thomas Tweedy?—Yes.

1605. Those

1605. Those were all voters; Smith Leign?—Yes.

1606. Is he the gentleman from the linen factory?—Yes.

1607. He is called Smith Leign the younger?—Yes.

1608. Thomas Simpson?—Yes.

1609. Those were all voters?—Yes.

1610. Were there many other persons besides those?—Yes, a great many more, but I do not know for certain who it was.

1611. Were those people drinking, or what?—Yes, we all had something to drink while I was there, and each glass as it got empty they were filled again.

1612. Did you pay for anything?—No.

1613. Did anyone ask you to pay for anything?—No.

1614. Have you any idea who did pay for you?—No.

1615. Did any of the others pay in your presence?—Not that I sawon; not to my knowledge.

1616. Did you see any of the waiters, or any of the men who came in, ask any of the persons who were there?—No.

1617. Was there any objection made to their having as much as they liked?—No, they asked me to have some more, and I told them that I did not make it a custom to have more than one glass or two.

1618. Who asked you to take more?—Several; Smith Leing, and a deal of the voters that were in; they urged me to have some more very much, and I would not have any more.

1619. Did you see other persons asked in the same way?—Yes.

1620. Who were the principal persons asking them?—Thomas Simpson, Henry Smith, and Smith Leing, and I do not know who else.

1621. I suppose some of the men made it the custom to take more than one or two glasses?—Yes, some of them were getting fairish on when I was there.

1622. Are you quite certain that those men were pressed to take drink and had it, and that none paid in your presence?—I never saw a farthing paid.

1623. Did Thomas Fowle say anything to you?—Yes, he was at the far end of the passage; they called me out of the room; I saw Mr. Fowle at the far end of the passage; he asked me how I was, I told him pretty well; he said, "I suppose you will be there on the day," and I said "Yes." And he said, "Have you had a glass of anything"? and I said "Yes."

1624. You would be there on the day?—Yes, the nomination day.

1625. He asked you if you had had a glass?—Yes.

1626. Who brought the liquor in; was it a man or a boy, generally?—A boy chiefly in my presence.

1627. You have not seen that boy waiting outside?—No.

1628. Not up in London?—No.

1629. Do you know his name?—No, I do not know his name.

1630. It was not Holmes, the waiter, or Weatherall?—No, it was a little boy; I have only seen him three times when I was at the "Golden Lion"; I saw him a day or two before the nomination day, when I was there with my father.

1631. He is not generally employed as a waiter?—I do not know.

1632. Did you ever see this little boy ask or obtain money from anyone?—Yes, I gave him some money once.

1633. I mean on this night?—No.

1634. At other times have you given him money?—I have given him money on the 3d or 4th of January.

1635. Have you seen any of those persons you have named out canvassing at all?—Yes, Smith Leing.

1636. That is Smith Leing the younger?—Yes.

1637. Was that before the election?—Yes: he came to me to ask me for my vote, and such as that; he met me at the station that night, when we went on to see Mr. Mills, and Mr. Mills was not there.

1638. Smith Leing met you where?—At the station, the same Saturday night we were at Northallerton; met me at the Brompton station.

1639. How far is that from Northallerton?—About a mile and a-half.

1640. Does Mr. Smith Leing live at Brompton or Northallerton?—At Brompton.

1641. Was that after your return from the "Golden Lion"?—No, it was before.

1642. What did Smith Leing say to you?—He said he wanted me to go then to the "Golden Lion Hotel" to see Mr. Mills.

1643. Was it in consequence of that that you did go to the "Golden Lion"?—Yes.

1644. And had this drink?—Yes.

1645. Did you see Mr. Mills?—No, I believe he was come up to London; he was not there, however; I did not see him.

1646. He was not there that night?—No.

1647. Was Mr. Smith Leing alone, or was anyone with him?—Me and my brother John, and William Thompson, accompanied him from Brompton to Northallerton, and then from Northallerton to Brompton back again.

1648. Who is Mr. Smith Leing?—A linen manufacturer.

1649. Is he a partner, or a manager, or what?—I think he is partly manager.

1650. Mr. *Price.*] Do you know anything about it?—No, I do not.

1651. Mr. *James.*] Where is his linen manufactory that you spoke of?—At Brompton.

1652. What is the name of it?—I do not know.

1653. Do you know who are the owners?—No, I believe it is like a joint stock concern.

1654. You do not know whether Mr. Smith Leing is the manager, partner, or what he is?—I believe he is the manager, but I do not know for certain.

1655. Who is Henry Smith?—He is a farmer.

1656. And he canvassed you?—No.

1657. Was he at the inn?—He was at the inn.

1658. And he asked you to take drink?—Yes.

Cross-examined by Mr. *Price.*

1659. You are a voter, I understand?—Yes.

1660. Did you promise Mr. Mills to vote for him?—No, I did not.

1661. Did you promise Mr. Fowle that you would vote for Mr. Mills?—No, all that Mr. Fowle said to me was, "I suppose you will be here on the day," and I said, "I should," meaning the nomination day.

1662. Had Mr. Fowle canvassed you for your vote before that?—No, he had not.

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1663. Was that the first thing he said to you?—Yes, he asked me how I was, and I told him, pretty well, he said "I suppose you will be here on the day," and I said, I should.

1664. He never asked you how you were going to vote?—No, he did not ask me who I was going to vote for at all.

1665. Was Mr. Johns, at that time, a candidate in the field?—No, I believe it was Mr. Wrightson, but I am not certain.

1666. Are you a tenant of Mr. Mills?—Yes.

1667. Then you never promised to vote for him, and Mr. Fowle never asked you to?—No.

1668. You voted for Mr. Johns eventually?—Yes.

1669. Who canvassed you for Mr. Johns?—Mr. George Henry Wilford asked me.

1670. Captain Pears?—No, Mr. George Henry Wilford, first on Saturday night.

1671. Did Captain Pears ever ask you?—I will tell you in a minute.

1672. I want that first; did Captain Pears ever ask you?—No, he did not.

1673. You said just now ——?—Yes, but he did not.

1674. By the *Committee.*] Who did you say did canvass you?—Mr. Mark Todd and Mr. George Henry Wilford asked me on Saturday.

1675. Mr. *Price.*] Is Mark Todd here?—No, I have not seen him.

1676. Nor Mr. Wilford?—No, I have not seen him.

1677. Did Captain Pears ask you for your vote?—Not to my knowledge.

1678. Do you swear he did not?—Not to my knowledge.

1679. What do you mean by "not to your knowledge"?—If he did, I forget; he had no occasion, because I promised.

1680. Do you mean to say you may have forgotten whether Captain Pears asked you for your vote or not?—Not to my knowledge he did not; I do not recollect if he did. He had no occasion, because I promised to vote for him before.

1681. Will you swear he did not?—I will not swear whether he did or did not, because I do not know; I forget if I did.

1682. Did you make a statement to this gentleman, young Mr. Fowle?—What statement?

1683. Is this your handwriting; is that your signature (*handing a paper to the Witness*)?—Yes, this in one.

1684. Was that read over to you before you signed it?—Well, part of it; it was not read all along.

1685. How do you know that the whole was not read?—I do not think it was; I could not read it myself; I am not a very good scholar.

By the *Committee.*] What is that document?—

Mr. *Price.*] It is a statement that I am going to make use of made to Mr. Fowle.

1686. Did you tell Mr. Fowle that Mr. Wilford told you to tell your father that he would buy his horse, and give him a good price for it, and that would go to pay his rent, if he would vote right?—I will tell you what I said.

1687. No, but did you say that or not?—I do not know whether I said exactly to them words or not; I will tell you the substance of the matter.

1688. But previous to that, had Wilford asked you how much your father's rent was?—Yes, he did.

1689. Now, I ask you again, and just recollect; I will put it to you very slowly; did you also say that Wilford had told you to tell your father that he would buy his horse, and give him a good price, and that would go to pay his rent?—Well, I do not know whether I said just in them words or not. There is a few words missed out, I believe. I will tell you again, to the best of my knowledge. Mr. Wilford asked me on the Monday evening before the nomination day, which way I thought my father was going to vote; I said, "Well, last time he said he would vote for the Liberals; that was about a fortnight before the nomination day; that was at Stockton." Mr. Wilford said, "Well, was he afraid of the Blues coming on him for his rent."

1690. Do you say that Wilford told you to tell your father that he would buy his horse?—I will tell you in a few minutes; some of it is not down as I said.

1691. Did you tell him that?—Yes; I will tell you in a few minutes.

1692. Did you say you were to tell your father from Wilford that they were to buy his horse?—That Mr. Wilford would buy it.

1693. We will go by steps; did you say so, that Wilford would buy your father's horse, and give him a good price for it?—He said he could afford him a good price.

1694. And that would go towards paying his rent?—He said if he were short of funds for paying his rent he would buy his cob, and he could afford him a good price for it.

1695. That is the same thing?—You would not give me time to come at it.

1696. Was Hesthwaite there at the time when Wilford told you that?—He was a little bit off.

1697. Were you and Hesthwaite sent to Darlington to see your father, and tell him about it?—I was sent to Darlington.

1698. And Hesthwaite went with you?—I was sent, but he went with me.

1699. Who paid your expenses to Darlington?—I paid my own.

1700. Who paid Hesthwaite?—I paid his.

1701. Have you got it paid back again?—No, I have not. He was a friend of mine, and I paid his expenses also.

1702. Did you tell your father what Wilford said?—Yes, I did.

1703. Did you not tell this gentleman that you had not told your father?—No, I told my father.

1704. Do you mean to say that you did not tell this gentleman so?—No, I told my father.

1705. I know that; but did you not tell this gentleman that you did not tell your father?—Not to my knowledge.

1706. Now I will read what was read over to you; do you recollect this being read: "He did not tell his father what Wilford said"; do you recollect that being read over to you before you signed this paper?—No, I do not know that I did.

1707. Did you leave Hesthwaite with your father?—I left Hesthwaite in the house, my father's house.

1708. Was this on the Monday before the election?—It was on the Tuesday.

1709. The election was on Thursday?—Yes.

1710. Did Dunn go with you?—No, he did not.

1711. On the Monday evening were you at Wilford's

Wilford's again, and did you see Mr. Johns in the presence of Captain Pears at Mr. Wilford's?—Yes.

1712. Did Mr. Johns say in their presence that they would pay you all your expenses?—Mr. Johns told me he would pay my expenses.

1713. Do you mean to say that Captain Pears never canvassed you for your vote?—No, I do not think he did, not to my knowledge; if he did I do not recollect it.

1714. Did Captain Pears say he would take care you should come to no harm?—No, he did not.

1715. Did Wilford say so?—Wilford said so. What he said concerning that was this: He said, after promising my vote on Saturday, he told me on the Monday, that very likely I should lose my situation, yonder, voting for the Liberals, and, if I did, I should come to no harm.

1716. Did Hesthwaite and Dunn ask your father in your presence to vote for Johns?—No, not the same day, they did not.

1717. But after?—No.

1718. On the Thursday?—I never seed my father after, not to speak to him.

1719. Do you recollect yourself, your father, Hesthwaite, and Dunn meeting at Stockton?—Yes.

1720. On the Thursday?—Yes.

1721. That is after?—No; but was about a fortnight before.

1722. On that occasion, did Hesthwaite and Dunn ask your father to vote for Johns, and did you say they knew your father owed 26 *l.* for rent?—Dunn and Hesthwaite were visiting with me; but I did not hear the whole conversation which took place between them and my father.

The *Chairman* inquired whether in this petition the seat was claimed, as that circumstance had not been referred to in Mr. James's opening speech.

Mr. *James* replied that the seat was claimed.

1723. Mr. *Price.*] You say that Dunn said, they knew your father owed 26 *l.* for rent, did you hear Dunn say that?—No; I will tell you what I heard my father say; I left my father for a few moments, and went to give my men some instructions about their work; that was after we had come from Stockton; we were walking in my brick-yard, Dunn and my father were saying something about the 26 *l.*, but what they said I did not hear. I heard Dunn say that the 26 *l.* would be of no object.

1724. Was something said as to the 26 *l.* by your father?—Yes, they were saying something.

1725. Had you heard your father mention that sum of 26 *l.*?—Yes; and then I heard Dunn say 26 *l.* would be no object, or something to that effect.

1726. Did he say that Isaac Leing would pay it?—Yes.

1727. Dunn said that?—Yes.

1728. Now I come to the time a few days before the election, on the Tuesday before the election; did you see young Mr. Fowle at Darlington?—Yes.

1729. Did you promise him that you would vote for Mills?—No, I did not.

1730. Did you not promise?—No; he said to my father, "Your son has gone against you," and my father said, "He will go which way I go?"

1731. You say "Mr. Fowle understood I was going wrong?"—Yes.

1732. And my father said, "He will go whichever way I go?"—Yes.

1733. And your father was there at the time?—Yes, he was.

1734. Did you tell your father that you should vote for the Liberals, as they would do better for you?—No, I told my father that I should vote for the Liberals. I will tell you what took place with my father; I left my father a little before Mr. Fowle.

1735. Did you tell your father that you should vote for the Liberals?—I will tell you what took place.

1736. Will you answer my question; did you tell your father that you would vote for the Liberals, that they would do better for you both?—Yes, (*after some hesitation*); no, no, not for both.

1737. For you then?—Yes.

1738. Before you denied it?—I will tell you in a few minutes what brought that to pass.

1739. Well you may tell us what brought that to pass, if you like?—I left Mr. Fowle a little before my father. I left them talking; my father overtook me and Dunn, and he says, "Now William, the Blues will bring chopping knives up to our land, chopping six and a half acre of land," and he says, "it will make a nice place of that." "Well," I said, "I do not care, father, if they have 20 chopping knives to it, I shall not vote for them."

1740. For the Blues?—Yes; so then he says, "What for." "Well," I says, "I am staying at present, and if I want a situation, the Liberals will do better for me.

1741. You told your father you would vote for the Liberals, as you thought they would do better for you?—Yes.

1742. Were you kept at the house of Mr. Wilford from the Tuesday until the election was over?—No, I was not.

1743. Were you at his house?—Yes, I was courting his servant girl, and at times I was there, and at times I was not there.

1744. Did you stay at the house from the Tuesday till the day of the election?—No; on the Tuesday morning after I left my father, I went to Preston Junction, and I was going to my work, and my father swore he would kill me if I did so. I did not go to my work, I turned back to Yam, stopped there a day, and came back to Brompton on the Tuesday evening.

1745. What was your father going to kill you for?—Because I was going to vote contrary to his wishes.

1746. You really thought your father was going to kill you?—He was after me.

1747. You really thought your father was going to kill you?—He said he would; I only had his word for it.

1748. You went away in a fright on that occasion?—Well, I did.

1749. You were so afraid of him?—Yes, I did.

1750. But your father voted for Johns too, did he not?—No, he did not. I left Yam, and came to Brompton on the Tuesday night, and that night I stopped with William Hesthwaite.

1751. That is the night before the polling?—No, that is Tuesday.

1752. Where were you the night before the polling?—The night before the polling I stopped with

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with my young woman at Wilford's; she is my wife now.

1753. Then you did not stay there the night before the polling?—Yes.

1754. Were you there the night before the nomination?—Yes, I stopped at Mr. Wilford's.

1755. You were there two nights altogether?—No, only one.

1756. Which of the Wilfords is it; give me his Christian name?—Mr. John Wilford where I stopped.

1757. Is he the man who spoke to you about buying your father's horse?—Yes.

1758. And the same man who spoke about the rent?—Yes.

1759. Had the Liberal party again offered you the land occupied by Ward?

Mr. *James*: Who? The Liberal party is such a great party.

1760. Mr. *Price.*] Mr. William Wilford, or anybody on his behalf, had they offered you the land occupied by Ward?—Yes, a good bit before the election, and before ever they asked me for my vote.

1761. Who was it?—David Todd; a good bit before the election, and I do not know how long; the spring before also, he told me that they had some land, that a man of the name of Richardson was living on; it was a nice place there, it was before me, and my father had a place under Mr. Mills.

1762. Now, about this drinking; you say you went in, and were drinking with some of the men?—Yes.

1763. But these men you went in with stayed behind, did they not?—No, we all went back together.

1764. I thought you said so just now?—No, I said I accompanied them from Brompton to Northallerton, and then they accompanied me back again. There was a deal stayed behind, but not them that went with me.

1765. The persons you say who did not pay for anything were the persons that went with you; or the others?—All. Both.

1766. As to those who remained behind, you cannot say whether they paid or not?—No, I cannot say. There was no money paid while I was there; that is all I know.

Re-examined by Mr. *Henry James.*

1767. I think you have told me already that different people had more glasses than one, and ordered what they liked?—Yes.

1768. Did you hear, not only no money paid, but did you hear anybody ask for any money; any waiter, boy, or anyone else?—No.

1769. I presume, from the way my learned friend has examined you, that you have been to Mr. Fowle, and given him your statement, and he took down what you had to say?—Yes.

1770. When was that?—It was on a Friday. I do not know. A few weeks ago.

1771. Did he send for you, or did you go of your own account?—My father telegraphed for me. I tell you the truth. My father met me at the station.

1772. Will you answer my question; where did you go to see Mr. Fowle?—The "King's Head Hotel" at Darlington.

1773. Who did you see at the "King's Head" at Darlington?—Mr. Fowle, my father, and Smith Leing.

1774. Mr. Fowle, was that the old gentleman?—Young Mr. Fowle.

1775. Mr. William Fowle?—Yes.

1776. Was that Mr. Smith Leing the one we have called Smith Leing, junior?—Yes.

1777. The linen manufacturer?—Yes.

1778. And the one who canvassed you in the hotel?—Yes.

1779. What, did they ask you to put down in writing your statement?—Yes, they put it down.

1780. You told them, I suppose, what Mr. Fowle wrote down?—Yes.

1781. And then you signed it; and that was in your father's presence?—Yes, with some objections; I do not think it is put down exactly as I told them.

1782. You have told us to-day what is correct?—Yes.

1783. Who is Dunn?—Well, he has been foreman on the highways this last twelvemonth.

1784. You do not know whose service he is in?—He is in the service of the township.

1785. You say that Captain Johns said you should have your expenses?—Yes.

1786. Had you incurred any expenses?—No, not a farthing; I did not wish for any.

1787. Had you been to Darlington, or were you going to Darlington?—That night?

1788. Yes?—Yes, I went to Darlington the next morning, Tuesday morning.

1789. About your father?—Yes.

1790. What were your expenses to Darlington?—They were 2 *s.* 6 *d.* for me, and 2 *s.* 6 *d.* for Hesthwaite, by the mail train.

1791. That would be two halfcrowns?—Yes.

1792. Did Captain Johns, at the time he said you should have your expenses, know of your being about to go to Darlington?—No, he did not.

1793. What expenses was he referring to?—I do not know.

1794. You did go to Darlington to see your father?—Yes.

1795. To try and get his vote?—Well, I went merely to see who he was going to vote for, not to ask him for his vote.

1796. Tell me again the words Captain Johns said to you?—Well, he said what expense I was at I shall have it, or something to that effect; I do not exactly know.

1797. What expense you were at about what?—No, he did not say what about.

1798. What was he talking about at the time?—He just asked me how I was. I told him. He said, "I suppose you are going to vote for me?" and I said, yes.

1799. Go on, please?—Then I left him a little bit, and he said what expense I was at I should have it.

1800. Did anyone ask you at all to see your father at that time?—No, not one.

1801. Are you sure of that?—Yes; not at that time.

1802. Were you asked afterwards?—Mr. Wilford asked me afterwards what way I thought my father was going to vote.

1803. He asked you to try and get your father's vote?—No; he asked me which way my father was going to vote. I will tell you what Mr. Wilford said.

1804. I do not care much about it; you promised Captain Johns to give him your vote, and you did give him your vote?—Yes.

1805. Did

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1805. Did you receive any money, or anything at all, to influence your vote?—Nought whatever; I never was promised any.

1806. I do not want to go into your private concerns, but I believe this young lady who has been mentioned wished you to vote for Captain Johns?—No, she did not; she did not say anything to me. They told me that at Darlington, but she never said anything to me.

1807. You kept the promise you had made?—Yes, the first of my promising to vote for Captain Johns was to Mr. Wilford and Mark Todd.

1808. You tell me you have had no promise that influenced your mind at all?—No.

1809. When was this about the land, you said something about the winter, which winter do you mean?—The spring before the nomination day; a year ago this last spring.

1810. Had that anything to do with the election?—Nothing at all; Mr. David Todd bought some turnips of my father; he sold some turnips to go off in lots, and David Todd bought some, and while he was leading them away, me and my father had left Brompton, and me and my brother John was going partners in the land.

1811. I do not care about it; had it anything to do with the election?—No, nothing whatever to do with the election.

[The Witness withdrew.

JOHN THORNTON, was called in; and, having been sworn, was Examined by Mr. *Henry James*, as follows:

J. Thornton.

1812. YOU live at Northallerton?—Yes.

1813. Were you employed in any way at the time of the election?—Yes.

1814. As what?—I went to assist the waiter.

1815. By the *Committee.*] Where?—At the "Golden Lion."

1816. Mr. *James.*] You have not given any evidence or information to Captain Johns, gentleman?—No, to no one.

1817. Do you know a room at the "Golden Lion" that was used by Mr. Mills's supporters at the election?—Yes.

1818. Which room was that?—Well, there was one upstairs sometimes, and another sometimes downstairs.

1819. The one upstairs I want; was there one room where Mr. William Fowle used to be a good deal?—I used to attend to Mr. Fowle.

1820. As what?—To take messages for him and such like.

1821. You were not employed by the innpeople; Mr. Fowle paid you?—Joseph, the head waiter, engaged me, and I got paid at the finish.

1822. The head waiter paid you?—No, he did not pay me.

1823. I ask you who paid you?—Mr. Fowle paid me.

1824. What did you get?—I got 5 *s.* a-day.

1825. Was Mr. Fowle just before the election time a good deal in this room onthe first floor?—He was very seldom in, sometimes perhaps an hour.

1826. Who was there then?—There was nobody in his room then.

1827. Who used to come to that room, the room that was used by Mr. Mills's supporters, the room upstairs on the first floor?—There was never nobody came to him, I had to take him messages.

1828. Do attend to me; we know you were in that room; tell us the truth, who were in the habit of going to that room?—There was nobody.

1829. By the *Committee.*] Who did you see in the room; mention the names of anybody?—I cannot mention the names, there was plenty; I did not know, and do not know yet.

1830. Mention any that you do know?—I am sure I cannot.

1831. Mr. *James.*] Not one?—I do not think I can.

1832. How long have you lived at Northallerton?—All my life.

1833. I suppose you know most of the gentlemen there?—I know plenty of people in Northallerton.

1834. You tell us, on your oath, you do not know the names of one person there?—Yes, I think I could mention there was Mr. Heugh went in; Abraham Heugh, sometimes; Mr. Soppett sometimes went in; Mr. Cade, the watchmaker.

1835. Is that Thomas William Cade?—Yes.

1836. Mr. Smith Leing junior from the factory, was he there?—Yes.

1837. And Mr. William Taylor Cooper?—Yes, I seen him there.

1838. Mr. Joseph Pearson Holt, a solicitor?—Yes, I have seen him; I never seen him in the room.

1839. Where have you seen him?—In the house; I never seed Mr. Holt in the room with Mr. Fowle.

1840. By the *Committee.*] Did you see the others in the room?—Yes.

1841. Mr. *James.*] Did you see Henry Smith there?—Who is Henry Smith?

1842. Of Brompton?—I do not recollect it; I do not, indeed.

1843. The farmer?—I do not recollect; I do not know him.

1844. Did you see George and William Oliver?—Yes.

1845. Mr. *Rodwell.*] Where did you see these people?—I saw them at Mr. Fowle's at different times.

1846. Mr. *James.*] In Mr Fowle's room?—Yes.

1847. Were you ever put to stand at his doorway; you used to stand, sometimes, in the doorway, did you not?—When Mr. Fowle was in, I did.

1848. What did you stand there for?—To see if Mr. Fowle wanted anything.

1849. Suppose a gentleman came and asked for Mr. Fowle, you used to let them in or out?—Yes, of course.

1850. Was there any other room used for the purposes of the election besides this one, and the one downstairs sometimes?—No; Mr. Fowle sometimes was downstairs as well.

1851. Were these two rooms the only rooms where Mr. Mills's supporters used to meet?—No, I never was anywhere else but where Mr. Fowle was.

1852. Did you know of any other room in the

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"Golden Lion" where the supporters of Mr. Mills used to meet but those two rooms?—No.

1853. I suppose, in the evening time they used to come the most?—I do not think it made any difference; they used to come as much in the morning as in the evening.

1854. Had you anything to do with bringing up drink, serving drink, or anything?—Yes, sometimes; but I never took any into Mr. Fowle's room; I had not to wait there.

1855. Did you yourself never take any into Mr. Fowle's room?—No, I did not.

1856. Did the waiters bring it up there?—Yes.

1857. And you had nothing to do with that?—Not up there.

1858. Where did you take it?—In the house, downstairs; when Mr. Fowle was not in his room I assisted the waiter in the house.

1859. When the room was not being used, and I suppose was locked up, you used to go downstairs and wait?—Of course.

1860. You were engaged on the night of the nomination?—Yes.

1861. With Mr. Fowle?—Yes.

1862. On the polling day, I presume?—Yes.

1863. You had nothing to do with the serving on those two days?—Serving liquor?

1864. Yes?—Yes, indeed.

1865. Where?—In the house.

1866. You always took the money, I presume?—I got paid for everything I filled; I can say that without fear of contradiction.

1867. You never took one glass of liquor to anyone without being paid for it?—I never did, and that is a fact.

1868. Do you know a man of the name of James Lightfoot?—Yes, very well.

1869. Was he at the "Golden Lion" on Wednesday, the nomination day?—I am sure I do not recollect.

1870. Do you recollect his being taken to Mr. Fowle's room, and the door being shut, and then his saying he would burst the door open if they would not let him out?—I never heard at all of it.

1871. Did not you open the door to him?—No, I did not; I do not recollect it.

1872. You did not recollect a good deal just now, but you have got better?—I will tell you what I do recollect, as far as lies in my power, but I do not ever recollect that man at the hous that morning.

1873. Did you see him at any time?—No, nc that I can recollect; I cannot recollect.

1874. Do try. You know this man Jame Lightfoot; do not you recollect there being at some time or other, if you do not recolle the date, a disturbance about his coming out c the room?—I do not.

1875. You will not say whether it was so o not?—Well, I cannot tell, and that is truth.

1876. Do you know a man of the name c Hutchinson, a gardener?—Yes; I know him.

1877. Do you not recollect his bringing Jame Lightfoot on the nomination day to the inn?—I do not.

1878. Did you ever see them there together —No; I do not recollect it.

1879. Are you sure of that?—I am quite sur that I never seed them together.

1880. Or separately?—No; I do not knov that I did; it is impossible.

1881. Did you ever see Lightfoot at th "Golden Lion" at all during the election time —No, I did not.

1882. Did you see George Denning there o the nomination or polling day?—Yes, I fille him some liquor.

1883. Was he in Mr. Fowle's room?—No; h was in the room downstairs, in the commo drinking room.

1884. Did you see him in or out of Mr Fowle's room at all?—No; I did not.

1885. Did you see Thomas Wood or Hewso Jackson there?—I do not recollect it.

1886. You did not see Thomas Wood?—I d not recollect it.

1887. Or Hewson Jackson?—I do not knov him.

Cross-examined by Mr. *Rodwell.*

1888. You mentioned Denning's name, wha was Denning doing there?—He came in an ordered two glasses of brandy and a bottle o lemonade.

1889. Did he pay for it?—He did, but h grumbled very hard to pay for it too.

[The Witness withdrew.

SUSANNAH MARTIN was called in; and, having been sworn, was Examined by Mr. *Henry James* as follows:

S. Martin.

1890. Do you reside at Northallerton?—Yes.

1891. I believe you sometimes go out in employment as a charwoman?—Yes.

1892. Upon the Wednesday and the Thursday of the election week were you employed by Mr. Thomas Johnson at the "Harewood Arms"?—Yes.

1893. Do you recollect the room being got ready there for some voters?—Yes.

1894. When was that?—That was the nomination day.

Mr. *Rodwell* objected to the question.

1895. Mr. *James.*] Was the room got ready for anybody?—Yes.

1896. When was that?—That was the nomination day before the polling day.

1897. What time was it; I mean was it in the morning or in the evening?—It was in th evening.

1898. You must not tell me what Mrs. John son said about it, for she is coming herself but did not she make a statement about tha room. Mrs. Johnson, the landlady, just say ye or no, if you please. Did she say something to you about it?—She did not say so to me but I understood the room was to be go ready.

1899. You heard her make a statement?—Yes.

1900. What room was it was got ready?—I was in the parlour and the bar.

1901. Was there any room upstairs at all?—Yes; but this was downstairs.

1902. Were there two rooms got ready, o only one?—They were there all the night.

1903. I wil

1903. I will ask you as to that afterwards. Do you recollect any men coming there who used these rooms you have mentioned?—Yes, there was one Snowdon Stainthorpe.

1904. What room did he go into?—He went into that room that was got ready for the voters.

1905. Was anyone with him?—Yes; George Gill was in with him.

1906. Is he a horse-breaker at Northallerton?—Yes.

1907. Was Stainthorpe drunk or sober?—No, he was drunk.

1908. Was he kept there all night?—Yes.

1909. During the nomination day were there a good many people there?—A great many.

1910. Were some of them known to you?—Yes; I know a good many of them.

1911. Without going through them were there voters there or not?—Yes; there was voters.

1912. Was Mr. Fowle there during that day?—Yes.

1913. The old gentleman or Mr. William Fowle?—The old gentleman.

1914. Was Mr. William there as well, or not?—I did not see him.

1915. Was there a man of the name of Archer there?—Yes, two of the Archers were there.

1916. Did you hear Mr. Fowle speak to him?—Yes.

1917. Was Archer drinking there?—Well, they were getting some drink, but I do not know what.

1918. How many rooms in the house were occupied?—Well, a good many.

1919. Had you anything to do with serving the drink?—Yes; I took some out.

1920. Was the house open during the night, or was it closed?—I was not there all the night.

1921. But whilst you were there?—Yes, it was open whilst I was there.

1922. What time did you leave?—It would be about 11 o'clock.

1923. Did you see George Denning there?—Yes.

1924. When drink was supplied, was it paid for or not?—What I took I got money for. *S. Martin.* 25 April 1866.

1925. Did you see drink supplied to people at all, without it being paid for?—I seed the missis set down some.

1926. Did you see drink served that was not paid for?—Yes, what the missis served herself.

1927. Did she serve a good deal?—Yes; her and her husband did.

1928. Do not tell me what she said, she is coming herself; did she say something about the drink she was serving: just say Yes or No; did she say anything about how it was to be paid for, or anything?

Mr. *Rodwell* objected to the question.

1929. Mr. *James.*] Well, did she make any statement?—No, not to me.

1930. In your presence?—No, I think not.

1931. Not at all?—I think not.

1932. On the morning of the election, did you see George Oliver and William Oliver there at any time?—Yes, I seed both.

1933. James Pearson?—Yes.

1934. And Thomas Collett?—Yes.

1935. Were they there on the polling day?—Yes.

1936. Did you see them drinking?—Yes.

1937. Was there a good deal going on on the polling day, or not?—Yes, a good deal of liquor was filled in the house.

1938. Did you see whether these people I have mentioned paid for their drink or not?—I believe they did, what I took.

1939. Did you see them get drink from anybody else?—No.

1940. Did you see whether all the people who were drinking did pay or not?—There was a good many that the missis took did not pay that I see. I did not see her take any money.

Mr. *Rodwell.*] I have nothing to ask you.

[The Witness withdrew.

RICHARD WOOD was called in; and, having been sworn, was Examined by Mr. *Henry James*, as follows:

1941. ARE you a Clerk in the Clerk of the Peace's Office?—Yes, occasionally. *R. Wood.*

1942. At Northallerton?—At Northallerton.

1943. Do you know Mrs. Johnson, the landlady of the "Harewood Arms"?—Yes.

1944. Did she, at any time, apply to you to make out a bill for her?—Yes.

1945. When was that?—I cannot say for a few days; it was after the election.

1946. I must not have what she said to you, but did she afterwards apply to you to make out a second bill?—Yes.

1947. Just say yes or no; do not tell me what she said; but did she give you a reason for having that second bill made out?—She did.

1948. Did you make out the second bill?—Yes.

1949. What became of that piece of paper?—I do not know what became of it.

1950. Did you leave it with her, as far as you know?—Yes.

1951. Do you know a Mr. Routledge?—Yes.

1952. Is he a tenant of Lord Harewood?—Yes.

Mr. *Rodwell*: I have nothing to ask you.

[The Witness withdrew.

ELLEN JOHNSON was called in; sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

1953. ARE you the landlady of the "Harewood Arms"?—Yes. *E. Johnson.*

1954. And were you so during the progress of the last election?—Yes.

1955. There was no committee-room, was there, at your house?—No.

1956. Susannah Martin was a charwoman employed, was she not?—Yes.

1957. And Richard Wood was employed to make out your bills?—He made me one bill out.

1958. What bill was that?—For the North Riding election.

1959. Who

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1959. Who was that made out to?—To Mr. Routledge, of Welbury.

1960. Was that for articles supplied at your house?—Yes, for the North Riding election.

By the *Committee.*] I suppose Mr. Serjeant Ballantine you connect this with the Northallerton election.

1961. Mr. Serjeant *Ballantine.*] This bill was for goods supplied at the Northallerton election?—For the North Riding.

1962. Where is your house, in the borough, is it not?—Yes.

1963. Have you got your books here?—I do not keep any books.

1964. Do not you keep any books at all?—No.

1965. How do you make out your bills then?—I have no occasion to make them out. It is all ready money is mine.

1966. Here was a bill made out to Mr. Routledge?—Yes, but it was for dinner on the North Riding.

1967. Where did you make that out from?—He came and he ordered so many dinners.

1968. You told me that Wood made out a bill to Mr. Routledge?—Yes.

1969. What did he make that out for?—For the dinner.

1970. From what? Wood knew nothing about the dinners?—I employed him to make my bill out to Mr. Routledge.

1971. What materials did you give him to make out the bill?—I had put down in chalk how many there was had got the dinners, just chalked it down on a board.

1972. And that was the only account?—That was the only —what I kept.

1973. Is that the only account you ever kept?—Yes, it is.

1974. By the *Committee.*] You wanted him to do the arithmetic of it?—Yes.

1975. You wanted him to make it out in a proper form, and add it up?—Yes.

1976. Mr. Serjeant *Ballantine.*] Had Mr. Fowle been at your house?—No.

1977. Did not Mr. Fowle give you any orders?—No, never.

1978. Never any of any kind?—Never gave me any orders at all did not Mr. Fowle.

1979. Or any clerk of Mr. Fowles?—No.

1980. Was there any room kept for the election?—No.

1981. Nothing ordered?—No, nothing.

1982. I mean for the Northallerton?—No, not nothing kept in my house.

1983. Nothing whatever kept in your house?—No.

1984. Do you mean to say that there was nothing ordered by Mr. Fowle?—No; he never ordered anything in my house.

1985. Did he pay for anything?—Never in his life.

1986. Was any bill sent in to him?—No, never.

1987. Never any whatever?—No.

1988. Do you know any of the voters at Northallerton?—Yes, some of them.

1989. Did any of them come about the time of the election to your house?—I am sure I cannot say.

1990. Do not you know whether they did or not?—I am sure I cannot say.

1991. Do not you know whether you supplied anything for them?—I do not know, I am sure now. It is long since.

1992. So long since?—Yes.

1993. Do you mean that you have not supplied things that you have been paid for afterwards?—I never was paid for nothing but for 27 men's dinners, and that was for the North Riding election.

1994. How much was that?—I cannot say, I am sure.

Mr. *Rodwell* objected to going into any questions as to the North Riding election.

The *Chairman* stated that as the North Riding election had nothing to do with the present petition, questions relating to that election could not be put.

1995. Mr. Serjeant *Ballantine.*] You say you made out a bill which was for the North Riding election?—Yes.

1996. Did he say to you, "I suppose I must make it out against Mr. Fowle?—I am sure I cannot say whether he did or not.

1997. Had Mr. Fowle anything to do with the North Riding election?—I do not know that he had.

1998. He had only to do with the Northallerton?—I am sure I do not know for that.

1999. Did he not say to you, "I suppose I must make it out to Mr. Fowle?—

Mr. *Rodwell.*] Who said this?

Mr. Serjeant *Ballantine.*] Wood.

Mr. *Rodwell* objected to the question, and to the witness being treated as an adverse witness.

Mr. Serjeant *Ballantine* was heard in support of the question.

The *Chairman* stated that the Committee were of opinion that there was no reason from what had passed to regard the witness as an adverse witness.

2000. Mr. Serjeant *Ballantine.*] I will just ask a question directed to be put by another Committee under the same circumstances; which side did you come up with?—I suppose that Mr. Johnson was with me. I do not know. Some one said so.

2001. Who brought you up?—I came by the railway.

2002. Who are you staying with; are you staying with the witnesses for Mr. Johns?—No, I never was asked to go.

2003. Where are you staying?—At the "Salutation."

2004. The "Salutation" inn?—Yes.

2005. Are there any other witnesses there?—Yes.

2006. Who are they?—I am sure I do not know how many of us there is.

2007. Who are they?—I am sure I cannot say.

2008. Have you seen Mr. Fowle since you were served with a warrant; have you given him your evidence?—Never.

2009. Have you been examined by him?—No.

Cross-examined By Mr. *Rodwell.*

2010. Do you know Captain Johns?—Yes, I know him by sight.

2011. Do you know the gentleman sitting next him?—Yes.

2012. Did you see them at Northallerton?—Yes.

2013. When?—I saw him at the election time; some time during the time.

2014. The day before the election?—Yes; I saw him the day before.

2015. What did they come to you for?—To see if my husband would give them his vote.

2016. Anything else?—Mr. Medcalf was along with them.

2017. What did he say?—Mr. Medcalf promised to pay the rent for the house and land that we had before if we would vote for Mr. Johns.

2018. Was anything said about providing any drink or refreshments to anybody?—There was one night about a week before that Captain Pears and Mr. Johns and Mr. Medcalf came into our house, and there was several more came in. I cannot say exactly how many, but there was a good few, which they had some drink during the time that they were in, which they did not pay for it. It was paid for in a few days after.

2019. By whom?—By Mr. Barnet.

2020. Who is he?—The tailor in Northallerton.

2021. Is he a supporter of Mr. Johns?—Yes.

[The Witness withdrew.

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Mr. Serjeant *Ballantine* stated that he proposed to call Richard Wood to speak to the statement made by the last Witness.

Richard Wood recalled.

2022. Mr. Serjeant *Ballantine.*] Do not answer the question I am going to put to you, because I wish to be governed by the Committee; you were applied to by Ellen Johnson to make out a bill?—Yes.

2023. Did you say, "I suppose I must make it out against Mr. Fowle"?——

Mr. *Rodwell* objected to the question on the ground that any statement made between the Witness and Mrs. Johnson could not be evidence against the sitting Member.

Mr. Serjeant *Ballantine* was heard in support of the question.

The *Witness* was directed to withdraw.

Mr. *Rodwell* was heard in reply.

The *Chairman* stated that the Committee were of opinion that the question could not be put.

T. Johnson.

THOMAS JOHNSON was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

2024. ARE you the landlord of the "Harewood Arms"?—Yes.

2025. Is that in the town of Northallerton?—Yes.

2026. Was that house engaged in any way during the Northallerton election?—Not at all.

2027. You know Mr. Fowle?—Yes.

2028. Did he speak to you on the subject of the houses at all?—Not at all.

2029. He did not speak to you at all about it?—No.

2030. I believe the North Riding election came on some week or ten days after the Northallerton?—Perhaps it did.

2031. Did it; you cannot object to telling me that?—No, I believe that is the time.

2032. A week or ten days, was it not?—Yes.

2033. How long; tell me; because I do not know?—I do not know to a day or two.

2034. What day in the week was the Northallerton election?—I am certain I do not know.

2035. You must know; what day in the week was it?—On Thursday.

2036. You remember the day of the nomination?—Yes, I remember it.

2037. Were many of the voters in your house on that day?—Well, I cannot say who was in my house on that day.

2038. I will see if I can remind you; were there many on the polling day?—Well, I am sure I cannot say; there was a deal of people, but I cannot say who they were.

2039. You did not know one of them?—Perhaps I might know some of them.

2040. Do you know a person of the name of Snowdon Stainthorp?—Yes.

2041. Was he in your house?—I believe he was.

2042. Did he sleep in your house the night before?—Yes, I believe he did.

2043. Was he a voter?—Yes, I expect so.

2044. Well, you know it, do you not?—Yes, he voted.

2045. I mean for Northallerton?—Yes.

2046. Not for the North Riding, but for Northallerton?—Yes.

2047. Was he locked up in your house?—No, not that I know of.

2048. Did not you order that he should be?—No.

2049. Do you mean that you do not know whether he was or not?—I really do not; I did not lock him up, and I do not believe he was locked up.

2050. Where did he sleep, do you know?—I did not see him go to bed nor yet get up, and I did not see his room.

2051. You have no notion where he slept?—I suppose he slept somewhere up our stairs.

2052. Where do you think he slept?—I am certain I cannot say.

2053. Have you no idea?—Well, of course I have a little idea.

2054. A little idea is better than none; just give us your little idea?—Well, he would sleep in one of the rooms, but which I could not tell.

2055. Was it not the front parlour?—No, not that I know of; no, I think not.

2056. Are you sure it was not?—Not in bed, he was not asleep.

2057. Perhaps not, he might not have been supplied with a bed. Did he stay in the front parlour all night?—No, he did not.

2058. How do you know, if you did not know where he was?—I seed him in.

2059. Where?—In our front parlour.

2060. What time did you see him?—Perhaps 9 or 10 o'clock, I cannot say.

2061. Nine or 10 o'clock at night?—Yes.

2062. On the nomination day?—No.

2063. When then?—On the Thursday.

2064. On the day of the polling?—Yes.

2065. Which

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2065. Which night was it he slept at your house?—He was in on Wednesday.

2066. What I want to know is, when you saw him on Wednesday night?—That would be betwixt 9 and 10 o'clock.

2067. On Wednesday night; that is on the day of the nomination?—Yes.

2068. There is no mistake about it?—No.

2069. Where did you see him?—I seed him in the front parlour.

2070. Alone?—Well, perhaps there was another or two in with him.

2071. Who were they?—I cannot say exactly who it was.

2072. Was George Gill there?—I believe he was.

2073. Is he a voter?—No, not that I know.

2074. Has he a vote?—No.

2075. Did you leave him in that room?—No, I did not leave him at all; I was not with him.

2076. You saw him there?—Yes, I saw him there.

2077. Was he there when you lost sight of him?—Yes, I left him there; I was in and out of the room.

2078. When did you see him again?—I did not see him any more until the next day.

2079. What time did you see him then?—Perhaps seven o'clock.

2080. In the morning?—Yes.

2081. Where?—He was in our house when I seed him.

2082. In what part of the house?—He came into the front room.

2083. Do you mean to tell the Committee, you do not know where he slept?—I am certain I do not.

2084. Who does know?—I do not know that.

2085. Does your wife know?—Perhaps she will; I cannot say.

2086. Does your servant know?—No; we have not the servant we had then; I do not suppose we had one at all.

2087. You cannot tell me anybody who knows where he slept?—No, I cannot.

2088. Who paid for his room?—Nobody that I know of.

2089. Do you know who he voted for?—Mr. Mills, I suppose.

2090. Do you mean that you have no idea who paid for his room?—No; nobody paid for it, not that I know of.

2091. Then it has not been paid for?—No.

2092. Was he an old customer of yours?—Certainly.

2093. Did he ask you to let him remain?—Yes, he did.

2094. Where does he live?—At Brompton.

2095. How far from your house?—Perhaps two miles.

2096. When you saw him, between nine and 10 o'clock, was he sober?—Yes.

2097. Quite?—As far a I saw.

2098. You again tell me you have no notion of what room he slept in?—No.

2099. Now I ask, did you not lock him in that room?—No.

2100. Or see him locked in?—Or see him locked in.

2101. Do you know Thomas Collett?—Yes, I know the gentleman.

2102. He is a voter, is he not?—Yes, I believe so.

2103. Was he at your house on the nomination day? You say you cannot tell; I am going to remind you of some?—I am certain I cannot say.

2104. Do you know Thomas Collett?—Yes.

2105. Was he there?—I am certain I cannot say whether he was there or not.

2106. Was George Oliver there?—I cannot say that either.

2107. Cannot you say whether you saw him there?—No, I do not remember seeing him in my house.

2108. Was William Stubbs there?—No, not that I know of.

2109. Matthew Shaw?—Well, I believe he was in; I think I remember seeing him.

2110. Were drink and provisions provided to the people in your house on the nomination day?—No.

2111. Did they have nothing?—Nothing but what they paid for.

2112. You mean there was no bill?—Not at all.

2113. What was the bill of 22 *l.* for?—For what?

2114. Was there any bill for 22 *l.*?—Not that I know of.

2115. Have you any books?—No, I do not keep any books; I am no scholar; I cannot, when I am no scholar.

2116. Do you mean that there are no books kept in your house?—Not that I know of.

2117. But you must know whether there are books or not kept in your house whether you are a scholar or not?—No, I do not keep books, I cannot use them.

2118. Do you mean to swear that you do not know whether any books are kept?—We never have no books that I know of.

2119. Then you swear that there are no books whatever?—No books whatever.

2120. How do you keep your accounts?—We get paid for what we deliver out, and we do not need books.

Mr. *Rodwell.*] I do not ask you anything.

The Witness withdrew.

W. Brown.

WILLIAM BROWN sworn; examined by Mr. Serjeant *Ballantine.*

2121. Are you a weaver at Brompton?—Yes.

2122. Do you occasionally act as ostler at the "Oak Tree Inn"?—Yes.

2123. Kept by Mrs. Stubbs?—Yes.

2124. Do you remember the day before the election, the day before the polling?—Yes.

2125. Were you acting as ostler there on that day?—Yes.

2126. The whole of the day?—Yes.

2127. How long had you been there before?—As ostler?

2128. Yes. Had you been there for four or five years before?—No, I was only there on Wednesdays and market days.

2129. Did you go upstairs to Miss Stubbs?—No.

2130. Were not you sent for to go upstairs?—I

—I was down at the house; Mrs. Stubbs came downstairs.

2131. Did you go upstairs?—She said there was a gentleman wanted me upstairs.

2132. I suppose you went up to see the gentleman?—Yes.

2133. Who did you find upstairs? — There was a whole round the table, a dozen or more, I should say.

2134. Was a man named Thompson there?—Yes.

2135. William Cade?—Thompson Cade.

2136. Was Miles Soppett there?—Yes.

2137. Thomas Thompson?—Yes.

2138. And a great many others?—Yes.

2139. Had you known them before?—Yes.

2140. About how many should you say there were?—Well, I cannot say that to two or three, or three or four. There was a whole round; they were sitting round the table.

2141. Was Miss Ann Stubbs there?—She was waiting.

2142. She was waiting upon them?—Yes.

2143. Were they men whom you knew to be voters?—Yes.

2144. The whole of them?—Yes, I think they were; I did not see any that were not.

2145. What were they having?—They were drinking different sorts of liquor.

2146. Rum, and brandy, and so on?—Yes.

2147. How long did you remain in?—I should be in I should think from three to four hours.

2148. Were you doing anything in the same line?—Well, yes; I was taking a glass amongst the rest.

2149. You are not a voter, are you?—Yes, I am.

2150. Which way did you vote?—I voted for Mr. Johns.

2151. Were you canvassed on the other side?—Yes.

2152. By whom?—By Mr. Soppett.

2153. And who else?—Well, I was by Mr. Mills.

2154. By Mr. Mills himself?—Yes.

2155. Do you mean that Mr. Soppett you saw drinking up there?—Yes.

2156. You were canvassed by him, and also by Mr. Mills?—Yes.

2157. Mr. Miles Soppett is it who canvassed you?—Yes.

2158. But you stuck to your principles?—Yes.

2159. Did nobody else canvass you?—Yes, Henry Smith.

2160. Was he among the party up at the "Oak"?—No, he was not; not that night.

2161. You all were drinking there, were you not?—Not Henry Smith

2162. Had you promised to vote for anybody?—No, I had not.

2163. You had left yourself open?—Yes.

2164. Were you canvassed by anybody besides Smith and Soppett, that you have told me of, and Mills?—Yes, James Pearson.

2165. Anybody else?—Well, not particularly, I think.

2166. You remained three or four hours up there?—Yes.

2167. They must have almost imagined you were one of them?—No.

2168. Was anything said to you, which way you were?—Well, no. Mr. Soppett said, "You will vote for Mr. Mills, Brown?" and I said "No, I thought I could not;" I said, "I was not promised then."

2169. Then you went through a course of rum-and-water and brandy-and-water?—I had rum-and-water.

2170. Did you promise anything before you went away?—No.

2171. Did you pay anything?—No.

2172. Were you asked to pay anything?—No.

2173. As far as you know, did any of the people pay anything?—I did not see anybody pay for anything.

2174. Did you see any of them go away while you were there?—No, I left them there.

2175. You saw none of them pay for anything?—I did not.

2176. And you were not asked to pay?—No.

2177. What are your colours at Northallerton?—For electioneering?

2178. What do you call yourselves; one is yellow, is it not?—Yes.

2179. And the other is blue?—Yes.

2180. Which is the yellow?—The Liberals, as we call them.

2181. And the other side blue?—Yes.

2182. Which way have you generally voted?—I voted yellow, whenever I did vote; that was only once.

2183. And you voted yellow this time?—Yes.

Cross-examined by Mr. *Rodwell.*

2184. How came you to vote yellow this time?—Well, sir, it was my principle.

2185. Who canvassed you for Mr. Johns?—Nobody.

2186. Did you see Mr. Johns himself?—I went to Mr. Johns' committee-room, and gave him my vote.

2187. Do you know a Mrs. Marwood, the wife of Marwood, a baker?—Yes, very well.

2188. Do you recollect going to her, and asking her for her husband's vote?—No.

2189. You did not?—No.

2190. Did you canvass at all for Johns?—No, I did not.

2191. Did you speak to her husband about his vote?—No, I did not.

2192. Mary Anne Marwood is the person?—Yes, I know her.

2193. Did you have no conversation with her with reference to the voting at all?—No, I had not.

2194. That you are positive of?—Yes, I will swear it, and I am upon my oath.

2195. You stopped there three or four hours, you got away drunk, did you not, that night?—Well, I was not.

2196. You were taken out, were you not?—No.

2197. Helped out?—No; I helped myself out.

2198. It was as much as you could do to get out?—Well, I could walk.

2199. That was just about all you could do, was it not?—Yes.

Re-examined by Mr. Serjeant *Ballantine.*

2200. And you got all that for nothing?—Yes.

[The Witness withdrew.

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Ann Stubbs was then called, but did not answer.

Mr. Serjeant *Ballantine* stated, that he had one or two more Witnesses to examine with reference to treating, but as they could not at that moment be found he proposed either to wait a short time, or at once to go on with the cases of bribery.

After an interval Mr. Serjeant *Ballantine* stated that, in consequence of the non-appearance of several witnesses, he should proceed now with the charge of bribery.

THOMAS LIGHTFOOT was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

Mr. Serjeant *Ballantine* informed the Committee that the witness was exceedingly deaf, and suggested that both himself and the cross-examining counsel should stand by the chair of the witness at the time of putting the questions.

This was agreed to, and the examination was proceeded with.

T. Lightfoot.

2201. ARE your names Thomas Lightfoot?—It is my name.

2202. Do you know Mr. Fowle?—Yes, very well.

2203. Did you vote at the last election for Northallerton?—I did, sir.

2204. For whom did you vote?—Mr. Mills.

2205. Did you get anything for your vote?—No; I never asked for naught.

2206. Did Mr. Fowle give you anything?—Stop, stop; Mr. Fowle came to me in my son's house at Spital, and asked me for the votes. I did not object, you know; I was under him, and said "Yes." He says, says he, "If you will vote for Mr. Mill, the blue, I'll let you go out rent free."

2207. Was that what he said, "Rent free"?—Yes.

2208. Did you owe anything at that time?—I owed nobody only but what I could pay.

2209. Did you pay any rent?—No; I don't know that I did. It was before Mr. Mills's rent was due.

2210. Was your daughter-in-law present?—Yes, sir, I had a daughter present.

2211. Your daughter-in-law heard it?—She was there, as near as you are; she heard it; she is my witness. And when Mr. Fowle turned his back, "Now," says I, "Mr. Fowle, that daughter of mine is witness for me."

2212. You said so?—Yes; I said so to him.

2213. And she heard it?—Eh; yes. She couldn't help doing it.

Cross-examined by Mr. *Price*.

2214. Do you know that gentleman, Mr. Dodds (*pointing*)?—Yes; I have seen him.

2215. Did he come over to take your examination; to take down your evidence?—He did.

2216. Did he tell you you were to be sure and not say too much?—No; he said naught at all of that kind. I never heard such like fond talk as that.

2217. Did he say you were a poor old man of about fourscore years?—He took down my evidence in my name.

2218. Did you stay at home up to the day of the election?—Yes; my son came over for me the night before; no, a carriage came.

2219. Who came in the carriage; who came for you?—My son did not come for me.

2220. Who was in the carriage?—I was by myself.

2221. Who helped you into the carriage?—My daughter.

2222. Your daughter helped you in?—Yes; she helped me in.

2223. Did you see anybody else there at your house on that day, do you remember?—No; I don't know.

2224. Before this carriage came, did you see anybody else who spoke to you about voting for Mr. Johns?—Yes.

2225. Whom?—Both parties were at me.

2226. Who came on the part of Mr. Johns?—What do you say?

2227. Who came to ask you to vote for Mr. Johns; was Captain Pearce one?—Captain Pearce was not there that day.

2228. Had he been to you before?—He was never at me much.

2229. Who was at you for Mr. Johns?—There was two or three at me.

2230. Can you give me their names?—There was a young man as I is uncle to.

2231. You had always voted for the blues, hadn't you, all your life?—Ay; both my father and me.

2232. Both your father and you have been blue?—Yes; for a hundred years back.

2233. You had been under Lord Harewood originally?—Yes.

2234. And he has always behaved well to you?—I have naught to say against Lord Harewood.

2235. And you had always voted "blue" all your life?—Yes; maistlains I did.

2236. What was it Mr. Fowle said to you?—What do you say?

2237. You said just now that Mr. Fowle said, if you would vote for Mr. Mills he would let you go out without paying the rent?—"Rent free."

2238. What was he to let you do?—I was to go out rent free.

2239. Out of what?—Out of yon place I was in.

2240. Did you want to go?—Did I want to go?

2241. Yes?—I cared naught about it.

2242. Did you ask to go without giving proper notice?—I didn't give notice at the proper time. I could either stop or go. There is another thing I will tell you: that night I went down to Spital to my son's; I thought I would be nearest at hand for going to Northallerton, and he wished me to vote for Mr. Johns.

2243. Who did?—My son.

2244. I thought so. He had wanted you to vote for Mr. Johns?—He had. He is "yellow."

2245. Did he tell you whether you would get anything if you would vote for Mr. Johns?—I never asked for naught.

2246. Did your son tell you he would get you another farm?—There was never such a thing mentioned; never naught at all of the kind; I never asked for anything; never naught.

2247. You

2247. You say you had given no proper notice to go out of this farm?—No; not before Michaelmas, I didn't.

2248. Did you ask leave to go away from the farm without giving the proper notice?—No, I never did.

2249. Had you sent your daughter down to ask Mr. Fowle whether you might go out without giving the proper notice?—I don't know naught about it.

2250. Do you remember who was present when Mr. Fowle told you this, "You should go out rent free"?—Who was present?

2251. Yes. Were there two or three gentlemen there?—No; my daughter, she is my witness.

2252. And nobody else?—I don't know nobody that were present beside.

2253. Let me see if I can remind you. Was there a man of the name of Johnson there; do you know a Mr. Johnson, the banker?—Yes, I know him.

2254. Do you remember whether Mr. Johnson was present when Mr. Fowle told you this?—I never saw him; he might have been about the house, but I never saw him that night.

2255. Have you paid any rent since the election?—Have I paid any?

2256. Yes?—One half-year.

2257. When did you pay it?—I paid Mr. Wm. Fowle.

2258. That gentleman (*pointing*)?—That gentleman.

2259. You paid him how much?—I paid him one half-year's rent.

2260. Had he ever asked you for the rent, or did you pay him without his asking?—He did not ask me for it much. He came up, and I didn't know what he wanted. We had had the rent ready in the house a good time before, so I said, "I'll pay you a half-a-year's rent," and he took it.

2261. You owed something more besides that; the Michaelmas rent was due?—Yes.

2262. Did you say you would pay him that at another time?—I didn't pay Michaelmas rent.

2263. Did you tell him you would pay the rest another time?—Any time I could have paid him.

2264. Did you tell him you would pay the rest on the rent day?—I don't know what you said.

2265. You paid Mr. Fowle some rent?—I paid him half a year.

2266. At the same time, did you tell him that you would pay the rest on the rent day?—No, I don't think as I did. There was very little owed there.

2267. Well, you don't remember that. Are you sure you didn't promise to pay the rest on the rent day?—The rent day came on after the poll, and I got a notice to pay it; I got a notice paper from Mr. Fowle.

2268. After the polling?—Yes, and I didn't go.

2269. Then Mr. Fowle came down to you, and you paid him the rent?—I don't know what you say.

2270. Do you remember asking old Mr. Fowle whether he would give you the winter hay as usual?—No, there was never that said to me.

2271. You had had winter hay at different times; hay given to you?—No; there was money I was to have.

2272. Money for hay?—Money for hay.

2273. You had had that allowed to you?—I will speak nothing but the truth.

2274. Did you ask Mr. Fowle when you were at Spital, whether he would give you the hay or the money for the hay as usual?—No, never.

2275. Are you sure of that?—I am sure as I never said naught about it.

2276. Nothing about that?—I got a little money from him to buy hay of him; I had run short.

2277. Did you ask Mr. Fowle whether he would let you have the hay?—There was never a word spoken. After he said I was to go out rent free, I never saw him more.

2278. Did you see him at Spital?—I did.

2279. On that occasion did you ask him about the money for the hay?—No, never a word.

2280. Are you sure of that?—I is sure of that.

2281. And he didn't say he could not promise anything of the kind?—There was never any promise, nor naught. As soon as he said "You are to go rent free," he went away. I never saw him no more. I will speak naught but what is the truth. I won't come here to tell a lie. If I be an old man I speak the truth, and naught but truth.

2282. Do you know a man named Barker?—I don't.

2283. He lives close to your house, I am told; a man of the name of Barker, who is hind to Mr. Yeoman?—Ay, I know him.

2284. I thought you did. Just attend to me. Was he at your house just about the time of the election; do you remember Barker coming?—One Sunday night he came to sell me a pig.

2285. That was after the election?—Eh?

2286. This was a few days after the election that he called on you?—No. This isn't but a fortnight or three weeks ago.

2287. That will do. Did you hear your daughter have any conversation with him?—No, naught at all.

Chairman.] Was it a fortnight ago?

Mr. *Price.*] Yes, I was wrong.

2288. Do you know Abraham Heugh?—Ay, I'd needs.

2289. You know him?—I know Abraham Heugh.

2290. Do you know a man named John Oliver, John Oliver the blacksmith?—Very well.

2291. Did you never tell him that you had had anything offered you or promised for your vote?—Never a word.

2292. What?—I have not spoken to John Oliver not since.

2293. A few days after the election did you see John Oliver?—No.

2294. Are you sure of that?—I am sure on't.

Re-examined by Mr. Serjeant *Ballantine.*

2295. I did not understand about the notice. Did you owe any rent at this time?—No, I never owed that I know of.

2296. What did you mean by the notice?—Giving in, that was it.

2297. Do you know that receipt (*producing the receipt*). Can you see it?—I see it.

2298. Have you paid any rent except for Lady-day, 1865?—That would be the last that I paid. That's it.

2299. This is the receipt for the March rent,

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1865. Have you paid any since?—I paid half a year to him. I paid that.

2300. Is it your daughter, or daughter-in-law that manages your affairs for you. Have you got a daughter?—My own daughter.

2301. Is she here?—Yes, she is here.

2302. Look at that receipt again. Have you paid any rent since Lady-day, 1865?—That is the rent I paid.

2303. Is that the last?—That is what I paid to Mr. William Fowle.

2304. Is that the last?—That is the last rent I paid.

Mr. Serjeant *Ballantine* handed in a receipt to the Committee, which was as follows: "Received of Mr. Lightfoot 6*l.* 2*s.* 6*d.*, half a year's rent due Lady-day last. Wm Fowle. 9th March 1866."

[The Witness withdrew.

JANE LIGHTFOOT was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

J. Lightfoot.

2305. YOUR name is Jane Lightfoot?—Yes.

2306. You are married to the son of the old gentleman who has just been examined?—Yes, sir, I am.

2307. Do you recollect seeing your father with Mr. Fowle at any time before the last election?—No, sir.

2308. You did not see him?—No.

2309. The day before the polling day did you see Mr. Fowle?—Yes, sir; he was at our house.

2310. He came to your house, did he?—Yes.

2311. To the old gentleman who has been here?—Yes, he came to our house.

2312. By the *Committee.*] Which Mr. Fowle?—The old Mr. Fowle.

2313. Mr. Serjeant *Ballantine.*] What did he say to your father-in-law?—He said if he would only vote for Mr. Mills he would let him have two half-years' rent free, and pay nothing for it.

2314. You heard that, did you?—Yes.

2315. Did he make your father hear, because if he did, he must have been more successful than we have been?—Yes.

2316. Did your father-in-law say anything?—He said he would vote.

2317. He said that he would vote for the "blues"?—Yes.

2318. Did Mr. Fowle speak to you first or to your father-in-law?—No. To my father-in-law.

2319. Did he afterwards say anything to your father-in-law?—No.

2320. Did your father-in-law say anything, I mean?—He said I had to be his witness.

2321. And what did you say?—I said "of course I would."

2322. Do you know whether he has paid any rent except up to March 1865?—(*No answer*).

2323. Mr. Serjeant *Ballantine.*] I suppose you know nothing about it.

Cross-examined by Mr. *Price.*

2324. You are quite sure that is the expression Mr. Fowle used?—Quite certain.

2325. That was all he said?—It was all he said to me. That was all I heard.

2326. You were to be a witness, therefore you must have paid great attention?—Yes.

2327. Your father said you were to be his witness?—Yes.

2328. Were you there when Mr. Fowle arrived at your house?—Yes.

2329. Were you in the room with your father when he walked in?—Yes.

2330. You were there all the time, then?—Yes.

2331. You are quite sure as to the words he used?—Yes, I am quite sure as to the words I said to you.

2332. Just repeat them again to gratify my curiosity; what did he say?—What did he say; Mr. Fowle?

2333. Yes?—He said, if my father-in-law would vote "blue" he should live two half-years and pay him nothing; and my father-in-law said I was to be his witness; and I was there and heard it.

2334. Are you sure that was all Mr. Fowle said to him whilst you were there?—Yes.

2335. Are you quite sure?—Yes; I cannot say I heard anything else. They was in the house, and I went out of the house.

2336. Did you, or did your father-in-law say anything about the hay or the money for the hay?—No; I cannot say I did.

2337. Just think a bit; didn't you hear your father-in-law ask Mr. Fowle whether he was to have the winter meat or the money for the hay as usual; or have you forgotten that?—I cannot say.

2338. Will you be sure he did not say so? Just think a bit, Mrs. Lightfoot, didn't your father-in-law ask Mr. Fowle something about having the winter meat, or something for the hay as usual; you would surely recollect if it did take place. Didn't he say so?—I cannot say particular.

2339. You cannot say particular?—No.

2340. Are you sure he didn't say so? might he have said so, and you have forgotten it?—Well, sir, he might.

2341. There was such a thing as winter meat allowed; you know of that?—Why, yes, sir, I think he did mention that.

2342. Your father-in-law mentioned it?—Yes.

2343. I thought we should get it; did not Mr. Fowle say he could make him no promise at all?—No; I didn't hear it.

2344. Did Mr. Fowle make no answer?—I didn't hear anything more.

2345. Did Mr. Fowle make no answer to your father-in-law when he spoke of that; I dare say you will recollect that; did not Mr. Fowle say he should him no promise whatever?— No, I cannot say.

2346. Try and recollect?—I cannot say, sir.

2347. You know you couldn't say before about the other thing I asked you; just brush up your memory a little bit?—I can say nothing more.

2348. Was there nothing said by Mr. Fowle when your father asked that?—No, I cannot say.

2349. Are you quite sure Mr. Fowle didn't say he could make him no promise about the winter meat?—No, I cannot say anything at all more about it.

2350. Do not you recollect anything more about it?—No.

2351. What makes you recollect the other thing?—He said something about meat. He said he

he always let him always have any hay or a little meat if he wanted it.

2352. And he asked if he was to have that as usual; he mentioned it to Mr. Fowle and wished to know if he was to have it as usual; that was it, was it not; that was the way the subject arose and was talked of; your father-in-law asked him?—Yes.

2353. What did you understand your father-in-law to mean?—I understood this: Mr. Fowle behaved good to him and whenever he wanted anything he could have it for asking. My father-in-law said that was all right and "very well," he said; and that's all I know.

2354. What was said about the winter meat; you said something was said by your father-in-law about winter meat. Did he ask Mr. Fowle for it; you have remembered something more now; did he ask Mr. Fowle for it?—No, I cannot say he asked him.

2355. Did he mention it?—No.

2356. Why did you say that your father-in-law mentioned about the winter meat; who was it spoke about the winter meat, your father-in-law or Mr. Fowle?—Mr. Fowle said it to my father-in-law.

2357. Do you mean to say that your father-in-law did not speak to Mr. Fowle, and ask him whether he might have the winter meat as usual. Now, be very careful?—(*No answer.*)

2358. Mr. Johnson was present, the banker?

Mr. *James* objected to the form of the question.

2359. Mr. *Price.*] Was Mr. Johnson there?—No, sir, he was not there.

2360. Was Mr. Johnson there?—No. We was in the house, Mr. Fowle and I, and my father-in-law.

2361. Will you swear that Mr. Johnson was not there present hearing what was going on?—No.

2362. Are you quite sure?—No sir, he was not.

2363. You are quite sure he was not standing at the door listening to what went on?—He was not in the house. I cannot say he was not at the door.

2364. By house, you mean a particular room in the house?—We have a house and kitchen.

Mr. *Price.*] It is the room they call the house in the north.

2365. Are you quite sure Mr. Johnson was not standing at the door of what you call the house?—I cannot say he was.

2366. Will you swear he was not?—He was not in the house.

2367. Was he standing at the door with the door open?—No, I cannot say he was; I didn't see him.

2368. Didn't your father ask Mr. Fowle whether he might have the winter hay as usual?—No, sir, I didn't hear that (the winter meat); No.

2369. You heard nothing about winter meat?—No.

2370. Nothing at all?—No, I didn't hear nothing particular about it at all.

2371. Have you not said something was said about it?—I said Mr. Fowle said whenever he wanted a little hay or meat—yes, sir—that he would let him have it.

2372. Had your father-in-law asked about it first; will you swear he had not asked Mr. Fowle about the winter meat?—No, sir, I did not hear.

2373. But you heard everything that took place; you must know. Will you swear he did not; you say you heard all that took place between your father-in-law and Mr. Fowle?—I did not hear all. I heard him say he was to live rent free, and pay nothing for two half-years.

2374. Did you go away directly after that?—Yes; I went out of the house into the kitchen.

2375. Directly after that was said?—Yes.

2376. Did you leave your father-in-law and Mr. Fowle together then?—Yes.

2377. How much longer did Mr. Fowle stay there after you left?—About five minutes, I should think.

2378. Talking to your father-in-law?—Yes.

2379. He had to shout very loud, hadn't he?—I did not take any notice when I went out of the house.

2380. You didn't wish to hear any more?—I took no notice.

2381. Did you hear their voices?—No, sir, no; I went away out of the house and took no notice.

2382. Have you talked to Mr. Dodds about this matter?—Have I what, sir?

2383. Have you talked to Mr. Dodds, the gentleman there?—No.

2384. Whom have you seen about your evidence; whom did you first tell about this conversation between your father-in-law and Mr. Fowle?—I don't understand you.

2385. When did you first mention to anybody what you have told us to-day about the conversation Mr. Fowle had with your father-in-law?—I mentioned it to no one.

2386. Until you came here to day?—Yes.

2387. Do understand me: do you mean to say that you have never from that day mentioned to anybody what you have told us here to-day?—No.

2388. Not to anybody?—No.

2389. These gentlemen did not know what you were going to say till you came into the room?—No.

2390. You have never let anybody know what you have heard?—No.

2391. What were you to be a witness for?—For my father-in-law; what he said.

2392. You have never mentioned to any living soul since the nomination day, what you have heard, until you came here to-day?—No.

2393. Have you been very often at Captain Pearce's?—No.

2394. Once or twice?—Have I been where?

2395. At Captain Pearce's? — Captain Pearce's?

2396. That is the gentleman (*pointing*); do you know Captain Pearce of Northallerton?—Yes.

2397. Have you been to his house since the election; he lives going up towards the gaol, you know?—Yes; but, sir, I have not been.

2398. Will you swear you have not?—Been at his house?

2399. Yes; since the election?—

2400. The *Chairman.*] Surely you can recollect?

2401. Mr. *Price.*] Captain Pearce has been down to you, perhaps?—No.

2402. You are sure of that?—Yes.

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2403. Have you seen him since the election to talk to?—No, I have not.

2404. Surely you can tell me whether you have been to his house or not?—No, I have not been.

2405. Why, then, do you hesitate?—Because I am rather bothered like.

2406. I must just bother you once more; I am very sorry to do it; I want to get it very accurately. What you have heard, and what you have told us, as having passed between Mr. Fowle and your father-in-law, I understand, took place directly Mr. Fowle arrived?—Yes.

2407. This conversation you have told us about the rent took place directly he arrived?—Yes.

2408. You left the room directly afterwards?—Yes.

Re-examined by Mr. Serjeant *Ballantine.*

2409. Did you see Mr. Johnson there at all at your house?—Yes.

2410. Can you state whether he was within hearing as far as you know that this conversation was going on?—No, it was not.

2411. You did not think that it was?—No.

2412. Now about having told this to anybody; you have got a husband, have you not?—Yes.

2413. Did you mention to your husband what took place between Mr. Fowle and your father-in-law?—I do not understand you.

2414. You have not very often been a witness?—No.

2415. You have told these gentlemen something that passed between your father-in-law and Mr. Fowles, and that you heard Mr. Fowles, making a promise to your father-in-law?—Yes.

2416. Did you tell your husband of that; did you talk to him about it?—No.

2417. Did you never tell your husband?—No.

2418. Have you never told anybody?—No sir; I did not say anything to my husband about it.

2419. You did not say anything about it?—I did not speak particular about it.

2420. Did you hold your tongue about it, or did you mention it to anybody?—No, I didn't.

2421. How does it happen that we know all about it?—

Mr. *Price.*] That is what I want to know; it is a very funny thing.

2422. Mr. Serjeant *Ballantine.*] Is your husband here?—Yes.

2423. What is his name?—James.

[The Witness withdrew.

Mary Lightfoot was called in; and, having been sworn, was Examined by Mr. *James,* as follows:

M. Lightfoot.

2424. Are you the daughter of Thomas Lightfoot, who has been examined here to-day?—Yes.

2425. Do you live with him or not?—Yes.

2426. The night before the polling day, do you recollect any one coming over to see him?—Yes; Mr. Fowles came.

2427. Did Captain Smith come?—Yes.

2428. And did James Lightfoot, of a place called Thrintoft?—Yes.

2429. That is your cousin?—Yes.

2430. Did Mr. Fowle see the old man?—Yes.

2431. Did you hear what he said to him?—Yes, I did.

2432. What was said by William Fowle?—He said that my father was to vote blue.

2433. What else?—He said he was to vote blue, and he would give him anything at all what he wanted; anything of money.

2434. By the *Committee.*] Did he say the words "sum of money"?—Anything of money, but he did not mention the sum.

2435. Did he say those words, "anything of money"?—Yes.

2436. Mr. *James.*] Was anything said about keeping his word about the land, or anything of that sort?—William Fowle said, my father had not kept his word.

2437. Do you know what that was about?—Yes; about the rent.

2438. What about the rent?—We took it at 11 *l.*, my father and me; and he put it at 12 *l.* 5 *s.*

2439. When young Mr. Fowle said that he could have any money he liked, what did your father say about voting; did he say he would vote or not?—He said he would not vote for Mr. Fowle.

2440. For Mr. Fowle?—For Mr. Mills.

2441. Did he say with whom he would vote?—Yes; he would vote for Mr. Johns.

2442. Did you go at any time to Mr. Fowle's to pay the Lady-day rent of 1865?—I went to Thomes Fowle's, and asked him whether he was going to let that bargain stand that he made with my father the night after the polling.

2443. That is Thomas Fowle, not William Fowle?—No; his father.

2444. What did he say?—He said he did not make no bargain.

2445. Did you go to pay any rent at that time?—No; I had no money at that time.

2446. Was there any time you went to pay the March rent of 1865?—No; he had no money of me that night.

2447. I mean, did you ever go to pay the Lady-day rent of 1865?—No; I told him if he did not intend that bargain to stand, I would fetch him the rent; he said he durst not take it.

2448. Durst not take what?—The rent.

2449. Who said that?—Mr. Fowle.

2450. Did he give any reason, or say anything about any time?—No; he said he would come up to Ballamoor after the 14th of February; to Ballamoor, to me and my father.

2451. Then you did not pay any money at that time?—No.

2452. Did he say anything about keeping things still and quiet?—Yes; he said I was to keep everything still and quiet, and not to tell nobody.

2453. Did he come after the 14th of February?—No.

2454. Who did come?—William Fowle.

2455. What did he say?—He said he had come to see whether we intended to give yon place up, as my father had not gone to pay the rent.

Mr. *Price.*] When is all this conversation fixed?

Mr. *James.*] William Fowle came after the 14th of February, and I think you will find the receipt is the 6th of March.

Mr. *Price*

Mr. *Price* objected to the evidence on the ground of the conversation having taken place since the election.

Mr. *James* was heard in support of the evidence.

The *Chairman* stated that the Committee were of opinion, that the evidence should be admitted, although by itself it would not be sufficient.

Mr. *James.*] I believe it was at that time that the rent due on Lady-day 1865, was paid.

2456. Was any rent paid at that time?—The rent was due before the election.

2457. The election was in July, so that that would be the March or April rent?—Yes.

2458. There was no rent paid in respect to the Michaelmas rent due in September?—No.

2459. Did you say anything to Mr. William Fowle then about the bargain his father had made?—Yes, sir; I told him he had not let us go on according to the bargain, and therefore we should not vote for him.

The *Chairman.*] This is a different occasion, I presume; we must have gone back again.

2460. Mr. *James.*] I am speaking of the interview when Mr. William Fowle came; this is after the election?—Before my father paid him the money, he told me this tale. It was on the 5th of March, I believe.

2461. What tale do you mean?—He told him he had made a bargain with his father to live two half-years without paying any rent, and he said he would not believe it.

2462. What; what would not he believe?—That Thomas Lightfoot was to live two half-years without paying any rent.

Cross-examined by Mr. *Price.*

2463. Were you present at your father's house when he was taken away to Spital?—Yes.

2464. The night before the polling?—Yes.

2465. Was he in as infirm a state as he is now?—Yes.

2466. You had to lift him into the cab?—No.

2467. Did not you help him in?—No; my brother helped him in, I didn't.

2468. That is your brother James?—Yes.

2469. Who brought the carriage, do you know?—Well, my brother James and Mr. Clarkson, and John Bollard.

2470. Was Mr. Fowle present at the time when they were taking him up?—He went away a few minutes before they took him away.

2471. Did Mr. Fowle say that the old man was so infirm that if they would not take him away from his house at that time of night, he would take care no one should bother him about his vote?—No, he did not.

2472. Was it not this Mr. Fowle?—No.

2473. Will you swear that?—Yes.

2474. Did he not say anything about begging them not to take him away?—No, that was John Smith.

2475. Captain Smith?—Yes.

2476. Captain Smith was there with young Mr. Fowle?—Yes.

2477. He was one of Mills' party?—Yes.

2478. Did Captain Smith say, if they would not take away the poor old man he would take care no one should bother him?—He wished my father not to vote at all without he voted for Mr. Mills.

2479. Did anybody, Mr. Fowle or Captain Smith, beg them not to take away the old man, and that they would not bother him?—No.

2480. What did you mean by saying Captain Smith said so?—That was before.

2481. Was that said?—Yes, Captain Smith said so.

2482. Your brother would take him away?—My father wanted to go away.

2483. Did you hear your father say the next day he was so bothered that he did not know what to do?—I did not hear him say that; I was not there.

2484. Were you at Ballamoor when Mr. Fowle came over and received the rent?—Yes.

2485. A short time ago?—Yes.

2486. Did your father pay the rent voluntarily?—My father said if he wanted the rent he would pay it.

2487. Did not your father say he would pay the rest of the rent what it was received on the rent-day?—Yes.

2488. There is a regular rent-day when the rents are received, is there not?—Yes; he told William Fowles that Thomas Fowles made a bargain with my father.

2489. I am asking you this: when your father paid this rent, did he also say he would pay the rest of the rent on the rent-day?—No, he could not go down.

2490. Did he say he would pay it on the rent-day?—Yes.

2491. If he did not go down you were to take it?—Yes.

2492. Therefore, when your father paid the rent he promised the rest of the rent on the rent-day?—Yes; William Fowle said there was no bargain; he would not believe there was any bargain, and my father said he made a bargain.

2493. Did he say he would come and pay it on the rent-day?—Yes.

2494. William Fowle said there was no bargain, and your father said there was a bargain, and finally your father said he would come and pay it on the rent-day; had you been promised, when anyone canvassed your father for Mr. Johns, had you been promised anything?—No, nobody.

2495. Didn't you hear anybody come and ask your father for his vote for Mr. Johns?—No; there was nobody came but Mr. Johns and the rest of the party.

2496. Did Mr. Johns come?—Yes.

2497. Who came with him?—Mr. Pearce.

2498. Captain Pearce?—Yes.

2499. And who else?—Mr. Hamilton.

2500. You have a cousin called James Lightfoot?—Yes.

2501. Did you tell your cousin that you had got money's worth, land promised and a house, if your father voted for Mr. Johns?—No.

2502. Will you swear that?—Yes.

2503. Did they make your father any promise?—No, none of them; never one of them.

2504. Was nothing said about a house?—No, nor land either.

2505. Do you know a man named Metcalfe?—Yes.

2506. Has he promised you any land?—No; nothing at all.

2507. Has he promised to get your father any?—No, never.

2508. You swear you never told your cousin

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James so?—Yes, I do; I never spoke to him about it; I never spoke to him since Wednesday night, that they were up at Ballamore.

2509. Do you know a man named Barker?—Yes.

2510. Did you ever tell him so?—He came to our house to sell my father and me a pig; James Barker came in on the Sunday, and he wanted to sell my father a pig.

2511. You know Barker?—Yes.

2512. Did you tell Barker that before the election you had told Mr. Fowle, that if he would not forgive your father a year's rent he should not vote for Mills?—No, I never see'd James Barker.

2513. You did see him when he came about the pig?—That is only a fortnight or three weeks since.

2514. I don't care when it was; did you tell Barker, that before the election you had told Mr. Fowle that if he would forgive your father a year's rent he should vote for Mills?—No, I never spoke such words.

2515. And did you tell him that Mr. Fowle told you that your father and his vote might go to the devil?—Yes, I did.

2516. Mr. Fowle did say your father and his vote might go to the devil?—Yes.

2517. When did he say that?—I went down one day to see him.

2518. When was it?—It was before the election.

2519. You had gone down to Mr. Fowle and he had told you that; how did it happen?—I went down to tell him we were not going to vote, not for Mr. Mills.

2520. Then he said your father and his vote might go to the devil?—Yes.

Re-examined by Mr. *James*.

2521. How long was it before the election that you saw Mr. Fowle, when he said he did not care how you voted?—I do not know the name of the month; it was about a fortnight before.

2522. That was before this bargain about the land was made, and Mr. Fowle coming up?—It was the night before.

2523. How was it that the old man promised that he would pay his rent; did Mr. William Fowle say whether there was a bargain or not?—William said he would not believe there was a bargain.

2524. Did your father say more than once that there was a bargain?—He said it two or three times.

2525. Did you say so, too?—No, I only said what my father said.

2526. You were not present when Mr. Fowle made the promise, if he did make it?—No.

[The Witness withdrew.

James Lightfoot was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

J. Lightfoot.

2527. Are you the son of Thomas Lightfoot?—Yes.

2528. Do you recollect Mr. Fowle coming to your office on the nomination day?—Yes.

2529. That was the old Mr. Fowle?—Yes.

2530. Did you hear what he said to the old man about his vote?—Yes.

2531. Tell us what he said?—He says, "Thomas says you must vote for me. He says, if you will only vote for him, you will have two half-years' rent, and pay no rent."

2532. Who was present at this time, besides you and the old man and Mr. Fowle?—I was standing on one side of him, and my wife the other.

2533. That is Mrs. Jane Lightfoot, who has been examined to-day—Yes.

2534. What did your father say?—"Mr. Fowle," he says, "here's me, my son like, and my wife witness to that."

2535. Are you quite sure all you have told us was said?—Yes.

2536. You have a vote for the Borough of Northallerton?—Yes.

2537. I must go a long way back. In the year 1854 were you collector of land-tax?—Yes.

2538. In the year 1854 was there a Mr. Barry, a clergyman, who was charged land-tax?—Yes.

2539. Tell me, did Mr. Barry make any terms to you at that time, or say anything in the way of asking you to do anything. What was the promise then made?—He says to me, he says, "Lightfoot," he says, "Mr. Barry is going to appeal against this. He was over-rated, and he says, you will have to alter it;" it was for cottages and such like, and I said I was not much of a scholar; then he says, "you must get a man," and so there was a man standing along with me, and he did it.

2540. He did what?—Laid an equal rate all over the town, upon the cottages in the town

2541. Was Mr. Fowle at that time acting as attorney for Mr. Barry?—

2542. Mr. *Price*.] Do you know of your own knowledge, whether he was acting as attorney for Mr. Barry?—He did his business.

2543. Mr. *James*.] Did Mr. Fowle tell you so?—I understood, and they told me, and I expected he did his business for him.

2544. Did Mr. Fowle ask you to pay any money?—He says, "If you pay the money, I shall see you righted."

2545. Did you pay any money?—Yes; I laid the money down when it became due.

2546. How much became due first?—I cannot say, sir, now.

2547. About how much?—I know how much I laid out from the rate; that is all I know now.

2548. Just take this, please (*putting a paper into the Witness's hands*). You have produced that. Where did you get it from?—This is my duplicate.

2549. Is that made out by you?—By my man.

2550. You were the collector of land-tax at the time?—I was.

2551. Did you put the sum for Mr. Barry at Mr. Fowle's direction about 4 *l.* 15 *s.* 9 *d.*, or the half of that sum, 2 *l.* 7 *s.* 10 *d.*; just look at that?—What Mr. Barry ought to have paid; it was somewhere about a guinea.

2552. That was the whole?—Yes.

2553. Did you pay that?—Yes, I did pay that all.

2554. Was that in consequence of Mr. Fowle's request to you to pay it?—He said I ought to have paid it. Mr. Barry ought to have paid it.

2555. Did Mr. Fowle request you to pay the money down?—Yes.

2556. In

2556. In consequence of that, did you do so?—I did.

2557. Did you ever get that repaid to you until the year 1865?

Mr. *Price* objected to the question.

The question was waived.

2558. Mr. *James.*] Did you get that paid in the year 1854?

Mr. *Price* objected to this as a leading question.

2559. Mr. *James.*] That took place in 1854. Did you apply to Mr. Fowle for it?—I always ax'd him for it during the time.

2560. During what time?—Betwixt the election time and——

2561. What did Mr. Fowle say to you?—Sometimes he laughed, and sometimes he would not give me any answer.

2562. You never got the money?—I never got it while weeks before the election.

2563. What did Mr. Fowle say to you about it then?—He said I was to go down. There was like a little reckoning betwixt us, and I was to go down to his office, and he would pay me.

2564. Had you asked him for it, or did he say that when you asked him?—I ax'd him for it.

2565. Did you then go down to his office?—I did.

2566. And did he pay you?—He said I was to take my duplicate the Wednesday after, and there he gave it to me; his son gave it me. He was not at home, and his son gave it me.

2567. How much was it?—A little more than a sovereign.

2568. Did he say anything at that time about your vote?—Yes, he did when I first went down.

2569. What did he say?—"Lightfoot," he said, "you have always been Blue; I hope you will have no objections to vote for us."

2570. Was that before or after he paid you this money?—It was before; it was the first time I went down.

2571. With your duplicate?—Yes; before I showed the duplicate to him.

2572. What did you say?—I said, "Provided Mr. Hutton and Marshall wish me to vote, I have no objections."

2573. You had never voted before?—I never had a vote before; this was the first time.

2574. And I believe it is a fact that you did hold a farm belonging to Mr. Hutton, that Mr. Marshall manages?—Yes.

2575. On the morning of the nomination day, do you recollect a man of the name of Hutchinson, a gardener, coming to you?—Yes.

2576. In consequence of what he said, did you go anywhere with him?—After I got my cart loosed out, and my pigs into the tub, and such like, he wanted me to go away and leave my cart and pigs.

2577. In consequence of what he said, did you go to the "Golden Lion"?—Yes.

2578. Where to?—I went up some stairs, into a room, what they call a committee room.

2579. Who called it a committee room?—A person who was standing against the door.

2580. Who was that?—I cannot swear to his name.

2581. Have you seen him here to-day?—Yes.

2582. Do you know a man of the name of Thornton?—Yes.

2583. Was it Thornton that was standing by the door?—Yes.

2584. Who did you see there?—Mr. Fowle.

2585. That is the old gentleman again?—Yes.

2586. Did you see anyone else?—There was some more, but I could not ken them; at least, I did not know them.

2587. What did Mr. Fowle or anyone say to you?—He ax'd me again for my vote, and he said Mr. Mills wanted to see me.

2588. What did you say?—I said I could not promise my vote, provided while I see'd what Mr. Hutton and Mr. Marshall desired me to do.

2589. You tried to go away?—I wanted to be out after my work.

2590. When you tried to get away, was the door open or shut?—I could not get it open.

2591. What did you do or say?—I tried to lift it, and I said if they did not open the door and let me go out, I said I would kick and crush it in.

2592. Was it opened?—They let me out then.

2593. Was Thornton there?—He was standing at the back of the door when I got out.

2594. I believe a man of the name of Clarkson ordered a carriage to take you to your father's?—Yes.

2595. Where did the carriage come from?—It would be Mr. Halroyd's.

2596. Did you find young Mr. Fowle at your office?—Yes.

2597. Who was with him?—My cousin, James Lightfoot.

2598. Was Captain Smith there?—Yes.

2599. Did you hear William Fowle say anything to your sister Mary?—I heard him say, "Miss Lightfoot, you know very well what I have promised you, and you know what you have promised me."

2600. Anything else?—I cannot say. There was great crowds in the house when I went in.

2601. Did your sister say anything in answer?—I did not hear her say anything about that. When I went into the house I ax'd my father how he was, and he said he was nobbut middling; and I said, "Father, I have come for you, as you promised me to go home with me. I have come for you," and he said, "I'll gang down with thee."

2602. By the *Committee.*] Your father said so?—Yes, and he ordered to have his leggings and his coat, and I got them, and then we come away. We helped him in the carriage; me, and Clarkson, and another man. We got him lifted in the carriage.

2603. Mr. *James.*] Was that all you heard?—Yes.

2604. On the morning of the poll, were you at Mr. Johnson, the banker's, house?—Yes.

2605. Who took you there?—There was Mr. Marshall and Mr. Fowle. After I had gone back to Allerton like.

2606. Did you go to Mr. Banker Johnson's?—Yes.

2607. Did you go into one room, a room where your father and your wife were with Mr. Fowle?—No, sir.

2608. Did you see Mr. Fowle there?—No.

2609. Did you see William Fowle at all afterwards; on the day of the polling, or either of the Mr. Fowles?—Was with the old man?

2610. Yes; the old man?—Yes.

2611. Was that at your own house?—Yes.

2612. Before or after the election?—Before.

2613. What did he say to you, if he said anything?—After I had got my father into the house,

J. Lightfoot.

25 April 1866.

J. Lightfoot.
26 April 1866.

Mr. Fowle wanted to go in and see him, but I locked the door, and would not let him go in. Mr. Fowle said to me "Lightfoot," he says, "You must vote for Mills; if you don't, Mr. Marshall will turn you off." Clarkson's son was there, and he swore, and said if he would not go away he would kick his backside, and then he shouted out for his man to take him away.

2614. Was that all he said to you?—That was all he said at that time.

Cross-examined by Mr. *Price*.

2615. You say that you heard everything that passed between Mr. Fowle and your father at your house, when your wife was present?—Yes.

2616. Was Mr. Johnson there?—Mr. Johnson was in the parlour, and my father-in-law like, my wife's father, he was in the parlour.

2617. Is that what you call the "house"?—No, it is not.

2618. It is another room?—This is the parlour and that there is the house (*describing the positions*).

2619. You were in the house?—Yes.

2620. That you swear?—I will swear it.

2621. Then if your wife has said there was only present herself and Mr. Fowle, and your father, that is not true. If your wife has said that the persons present were only your father, herself, and Mr. Fowle, that is not true, because you were there?—I was standing close again him.

2622. If your wife has said that only herself, and her father, and Mr. Fowle were there, that is not true, eh! Do you understand my question?—Yes.

2623. Is it true, or not, that the only persons present were your wife, your father-in-law, and Mr. Fowle?—There was three of us in.

2624. You were there?—Yes.

2625. And your father said you were to be a witness. He did not say "my daughter will be a witness"?—No, he said me and my wife like.

2626. You and your wife would be what?—He says (he mentioned me by name), he says "James," and my wife is witness to that.

2627. You swear he said "James and his wife" are witnesses? You swear that he did not say, "My daughter is my witness"?—No, he said my wife and me.

2628. You swear he did not say "My daughter will be my witness"?—No.

2629. Will you swear he did not say that?—Yes, I will.

2630. Upon your oath, were you not in company with Johnson the whole time Mr. Fowle was there?—I can swear it; during the time when Fowle was at my own house.

2631. At the time when Mr. Fowle was in your house, you were in company with Mr. Johnson, were you not, the whole time?—I was not.

2632. You swear that?—Yes, I will.

2633. Now, as to the transaction in 1854. I have got only a confused notion about this land-tax. Let me see if I understand it. Had Mr. Burry been surcharged, or charged what he thought he ought not to pay?—It appears so by what Mr. Fowle told me.

2634. Had Mr. Burry told you?—I went by Mr. Fowle.

2635. What were you?—I was along with my father.

2636. What had you to do with the land-tax?—They put me on to gather this money.

2637. Were you collector?—Yes.

2638. Did you keep the accounts?—My man that was standing along of me did.

2639. Who was your man?—He is dead.

2640. Mr. Burry refused to pay this?—Mr. Fowle said so.

2641. Did Mr. Fowle tell you you ought to pay it?—He did. He said, "If I was to lie the money down he would pay me again."

2642. What was the amount you were to pay; a sovereign?—A deal more when I had got all gathered.

2643. With respect to Mr. Burry, I mean, was it a pound; was it more than a sovereign?—Twenty-three shillings, or 24 *s*.

2644. Upon your oath, did not Mr. Fowle pay you that back two years before the election?—Three weeks before.

2645. Will you swear he did not pay it two years before the election?—I can swear he gave it me about three weeks before the election.

2646. Where did he pay it you?—At his own office.

2647. Who was there when he paid it?—Young Fowle gave it me.

2648. His son was present?—Yes, his son gave it me.

2649. Three weeks before the election?—Yes.

2650. He told you it was with respect to this matter of Mr. Burry?—That is when I showed him this. I showed him this at the time, and he gave it me.

2651. Was anybody present but the two Mr. Fowles?—No, nobbut me and that gentleman.

2652. Did Mr. Fowle say anything to you about your vote?—He says, "Lightfoot," he said, "we cannot have a contest in Northallerton; you have all been 'Blue,' your relations and your father"; and I said, that had nothing to do with me; what my family, my uncles and aunts had been, had nothing to do with me; and he said, "No."

2653. How was it you went down to Mr. Fowle's that day?—Well, I considered when a man wants a bit of money ——

2654. You knew the election was coming on?—No, I did not know nothing about it.

2655. Do you mean to say you did not know Mr. Mills had been canvassing in the town?—Never, in my house.

2656. Did you know Mills had been canvassing three weeks before the election?—I can speak the solid truth, and nothing else. I never see'd them in my house.

2657. That is not the question; did not you know Mr. Mills was canvassing when you went down to Mr. Fowle's?—No.

2658. You knew nothing about it?—No, there never was aught said to me.

2659. You had not the least idea when you went to Mr. Fowle's?—I didn't know naught about it.

2660. You had heard nothing about it?—No, I never heard nothing about the election while I got to Mr. Fowle's.

2661. That was the very first time you heard of it?—The first time.

2662. You had never heard of it before?—No, I never voted before, and I never had no questions put. Mr. Fowle was the first man who ever mentioned it to me.

2663. I should

2663. I should like to know this; did you, or did you not, know anything about the election when you went to Mr. Fowle?—Yes, I can swear it; I can safely say so.

2664. You swear that you had heard nothing about it?—No, I never did.

2665. Had not you heard that Mr. Wrightson had been down there?—No, never.

2666. What took you down on that particular day to Mr. Fowle's?—I wanted the money; and I think what a man wants money, he ought to look to those who can pay it.

2667. Had you ever been down before?—Yes; and I have often ax'd him for it, up and down the street.

2668. What did he say?—He laughed sometimes, and he said, "Oh, never mind."

2669. Your family always had been "Blue"?—Yes.

2670. Who suggested to you to take your father away that night in the infirm state in which he was?—He wished me to do.

2671. Did you order the fly?—No.

2672. Were not you surprised to find a fly there?—I did not order one.

2673. Then, were not you surprised to find a fly there when you had not ordered it?—He wished me to go for him.

2674. Did your father ask you to go and get a fly?—No.

2675. Were not you surprised, then, to find a fly ready to take your father away?—(*No answer.*)

2676. Who told you to get your father away; how did the fly get there?—They came to me to go for him.

2677. Who came?—Clarkson.

2678. Is he one of Mr. Johns' men?—Yes; he came for me at my own house.

2679. Had anybody told you before that they were going to send a fly to take your father away?—Never; he wished me to go for him. My own father wished me to go for him three nights before then.

2680. Did you let Mr. Johns' people know your father wanted to go to your house?—No.

2681. How did Mr. Johns' come to send a fly to your father?—Because he could not come down in a heavy cart.

2682. Why did Mr. Johns send a fly at all?—Mr. Johns?

2683. Yes?—I don't know who sent the fly.

2684. Did you ever pay for it?—No.

2685. Who did?—I don't know.

2686. Did you hear that night William Fowle say that if the old man was allowed to stay at home quietly in the infirm state he was was in, he should not be seen by any of their party, and should not be bothered?—I never heard him say anything of the sort.

2687. Had you promised to vote for Mr. Mills?—Provided, I said, Mr. Hutton and Mr. Marshall wished me to do so.

2688. You have told the Committee that Fowle said to you, Marshall would turn you off your farm if you did not vote for Mills?—Yes.

2689. Did not Mr. Marshall say to you in Mr. Fowle's presence, "I am your landlord, and you may do just as you like about your vote;" Mr. Marshall is here, so take care how you answer?—He never said so to me.

2690. Did not Mr. Marshall say in Mr. Fowle's presence, when you were talking about your vote; did not Marshall say, "I am your landlord, and you may vote just as you please"?—No, he did not; I can swear it; I never heard him say it.

2691. Did Mr. Marshall say you might vote as you liked?—He never said so to me.

2692. Did he ever say so?—I never heard him him say so.

2693. Do you mean to say that you thought Mr. Marshall could turn you off your farm?—He threatened me with that.

2694. Who did?—That was Mr. Marshall.

2695. He threatened you with what?—To turn me off the farm if I did not vote.

2696. Mr. Marshall threatened to turn you off?—Yes.

2697. When?—At Mr. Johnson's house.

2698. Who was present?—There was Mr. Johnson, me, and Mr. Fowle, and Mr. Marshall; we were all four in together.

2699. And at that interview Mr. Marshall threatened to turn you out of your farm if you did not vote for Mr. Mills?—He did.

2700. And you did not vote for him?—No.

2701. Have you been turned out of your farm?—It has not come to the time.

2702. Have you had notice to go?—No, it has not come to the time.

2703. With regard to going up into this room, where you say you were not allowed to get out of the door; where was the room?—It was the "Golden Lion."

2704. Yes; but whereabouts in the "Golden Lion?—I cannot give you no understanding. I went up the front, and went up two pair of stairs like.

2705. Who was present when you could not get out?—Mr. Fowle.

2706. Anybody else?—Several more.

2707. Give me the names?—I don't mind them; I kenned none of them but Mr. Fowle.

2708. Were they Northallerton people?—I cannot swear.

2709. How many were there?—Perhaps four or five.

2710. You cannot give the names of anybody but Mr. Fowle?—No.

2711. Was the door locked?—I could not get it open; that is all I know.

2712. Did you think they were keeping you in?—I considered they were keeping me there, and they had no right.

2713. Can you swear that the door was locked?—I cannot swear.

2714. Do you know what locking a door is?—Well, there is so many fresh locks now.

2715. Do you mean to say there was a fresh lock there?—I could not get the door open, that's all I know.

2716. Was it locked?—Perhaps it would be.

2717. Was it?—I cannot swear it.

2718. Was it bolted?—It was fast; I could not get it open; that's all I know.

2719. You thought they were keeping you in?—I could not say.

2720. Do you know a man named Abraham Heugh?—Yes, I know him.

2721. Did you tell him you did not know how you should vote; the Liberals had promised you land, and then let it to another?—No.

2722. Do you know a man named Tweedy?—He lives at Northallerton.

2723. Do you know him?—Yes.

J. Lightfoot.
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2724. Did you tell him at Thirsk that you should vote for those that did the best for you?—No, I never did.

2725. Did you tell Mr. Fowle, at Ballamore, that you should make your father vote for Johns?—Never; I never had no occasion.

2726. Why had you no occasion?—Because he said he would go and vote for him.

2727. He voted for Mills?—Yes.

2728. You had no occasion to do what?

Mr. *James* stated that the Witness had not been allowed to finish his answer to this question a short time before.

2729. Mr. *Price.*] What do you mean by saying you had no occasion to make your father vote for Johns?—He told me, three nights before I went for him, in the carriage; he said he had ta'en that spot for 11 *l.* a year; and he said, when they took the rent, it was 12 *l.* 5 *s.*; and he said, "I will vote for whom I like;" and then he says, "I'll vote for the Yellows."

2730. That is what your father told you?—Yes.

2731. Did you go down with your father to the poll?—I did not.

2732. When you left the house, did you suppose he was going to vote for Johns?—I were not in the house.

2733. Did you tell Mr. Johnson and Mr. Fowle that Heugh had promised you a horse whenever you liked?—No; I said he was a very good neighbour, and he would lend me anything I wanted.

2734. Did you tell your cousin, James Lightfoot, that you had not got 50 *l.*, but had got money, or, at least, money's worth?—Never such a thing came out of my mouth, I'll swear.

2735. Did you tell your cousin that the Liberals had promised your father a house and land in Spital?—No, never.

2736. I must put it this way, with regard to Marshall; did Marshall tell you he would not interfere; that you ought to keep your promise, if you had made one?—He did.

2737. When did he tell you that?—During the afternoon of the market day.

2738. Was that the polling or the nomination day?—The nomination day. Mr. Fowle telled him that I was not going to vote Blue; but he never mentioned the names, Marshall did not; he said I was to mind to stick to the promise I had made.

2739. And he would not interfere?—"No," he said.

2740. Did Marshall tell you he should not interfere; that you ought to keep your promise; and did not you say, "Yes"?—(*No answer.*)

Re-examined by Mr. *James.*

2741. What was it Marshall did say?—"Lightfoot," he said, "you must stick to your promises, the promise you made." He never mentioned nobody's name whatsomever.

2742. Did he say anything about your doing what you would like, and he would not interfere?—No, he never did.

2743. Your father said he would vote for "Yellow"?—He did.

2744. Was that before or after Fowle promised him the land without rent?—It was before.

2745. Then Mr. Fowle came up and promised, and then your father voted "Blue"?—He voted "Blue."

2746. Have you had any promise or money to vote for Captain Johns?—Never had a farthing, nor a promise, nor from none of his committee; I can swear it.

2747. My friend asked you what caused you to take the paper you have in your hand down to Mr. Fowle's office. I think you said Mr. Fowle told you to bring it?—Yes.

2748. Are you quite sure that was two or three weeks before the election?—Three weeks, it might be, before.

2749. Was it anything like two years before the election?—Never.

2750. You are quite sure, at the time, that he spoke about your vote?—He did.

2751. What was it in the duplicate that you pointed out to Mr. Fowle?—I is no scholar.

2752. Did you show the whole of this paper to Mr. Fowle?—Yes.

2753. Did Mr. Fowle look at it himself?—Young Mr. Fowle looked at it.

2754. And after looking at it, did he give you this pound?—After he looked at it he threw the money on to the table, and I took it up, and I thanked him.

2755. You cannot read, yourself?—No, sir; I is no scholar.

2756. You have been asked whether you ever heard of the election before you went on that occasion to Mr. Fowle; you live, I believe, some mile and a half from Northallerton?—Somewhere about a mile and a quarter.

2757. You do not take the newspaper to read, and do not go into Northallerton much?—I have plenty to do at home with the cows, milking, and attending to the pigs; plenty of work to do.

Mr. *Price.*] I want to have it quite clear; Mr. Fowle asked him about the vote before he paid the guinea; I want to know whether he told the Committee how he intended to vote.

2758. By the *Committee.*] After Mr. Fowle paid you the guinea, did you tell him how you were going to vote, or how was it?—When he asked me for his vote, I said, "Providing Mr. Marshall and Mr. Hutton wished me to vote Blue, I have no objection; it made no matter; but I would rather vote as the rest of the tenants voted."

Mr. *Price.*] Then after that Mr. Fowle paid him.

2759. By the *Committee.*] Is that so?—No, sir; it was Wednesday after I paid him when I took the duplicate.

2760. That was the occasion when you were asked by Mr. Fowle to vote for them?—Yes.

2761. And you gave him the reply you have just told us?—Yes.

[Adjourned till To-morrow, at Eleven o'clock.

Thursday, 26th April 1866.

GEORGE SCLATER-BOOTH, Esq., IN THE CHAIR.

The Names of the Members were called over:—All present.

JOHN CLAY, recalled:

J. Clay.
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2762. Mr. *James.*] THE Committee want your books?—I telegraphed for them yesterday; they left Northallerton at one o'clock, and they have not arrived this morning when I left at a quarter to 11; but they are in a luggage van somewhere in London.

2763. By the *Committee.*] Is there any prospect of their coming in the course of the day?—I daresay they are at my lodgings now.

2764. Mr. *James.*] Let us have them the moment they arrive?—I will send them the moment they arrive.

2765. *Chairman.*] You must be here yourself?—Yes, certainly; I will bring them the moment I get them.

[The Witness withdrew.

BENJAMIN CARR was called in; and, having been sworn, was Examined by Mr. *Henry James*, as follows:

B. Carr.

2766. Do you now live at a place called Yam?—Yes.

2767. Did you lately live at Lazenby?—Yes.

2768. That is the borough of Northallerton, I believe?—Yes.

2769. When did you leave?—I think it would be some time.

2770. So that at the last election for Northallerton you were living within the borough, and had a vote?—Yes.

2771. The previous transaction I do not care about; it does not appear material; but I believe you had to pay 60*l.* that you owed upon a promissory note, to Mr. Mayne?—Yes, I borrowed 100*l.*

2772. You had to pay something off?—Yes, of course.

2773. Now, at any time after that, did you borrow some money from Mr. Fowle?—Yes.

2774. Is that Mr. Thomas Fowle?—Yes.

2775. How much did you borrow?—£. 50.

2776. When was that?—It would be some time after I got the other.

2777. We do not quite know when that was; tell me what year first you borrowed 50*l.* of Mr. Fowle?—It would be either 1861 or 1862; I am sure I cannot say.

2778. That you borrowed it from Mr. Fowle?—I think so.

2779. Did you give him any security upon it?—He holds the note.

2780. Was it a promissory note?—Yes.

2781. A few days before the election did any persons come over to canvass you, to your house?—Yes.

2782. Who came?—There was Mr. Fowle, for one.

2783. Mr. *Price.*] Which Mr. Fowle?

Mr. *James.*] We are speaking of only one, at present.

Witness.] There was Mr. Mills.

2784. Do you mean Mr. Thomas Fowle?—Yes.

2785. Mr. Fowle came, and Mr. Mills?—Yes.

2786. Anyone else that you know?—There was Cooper.

2787. Give me his Christian name?—I cannot tell all the parties' names.

2788. You mean Mr. William Taylor Cooper?—I do not know; he is an auctioneer, I believe.

2789. An auctioneer, at Northallerton?—Yes.

2790. Did they canvass you for your vote?—Yes.

2791. Did you promise, or refuse it, or what did you say?—I did not promise it at that time.

2792. Were you requested to call anywhere; did they ask you to go anywhere?—That day?

2793. No; to go some other day?—I went to the market the week following.

2794. Were you requested by anyone to go anywhere at any time, to call at any hotel?—Yes, I was.

2795. By whom?—I think it was Mr. Cooper, of Northallerton.

2796. By the *Committee.*] What were you asked to do?—Asked to go down to Mr. Clay's hotel.

2797. That is the "Golden Lion"?—Yes.

2798. Mr. *James.*] What day were you asked to call there?—I do not know; it would be about one o'clock.

2799. That is the hour; what day?—It would be the day before the electioneering day.

2800. The nomination day?—Yes, the day before, I think; it was on the market day, however; on the Wednesday.

2801. In consequence of what was said, did you go?—Yes, I went down.

2802. What is the market day at Northallerton, Wednesday?—Yes, Wednesday.

2803. When you went to the "Golden Lion" whom did you see?—I saw Mr. Fowle.

2804. The old gentleman still?—Yes.

2805. Was anything at all said to you about your

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your vote, and if so, tell me what?—I cannot tell exactly. He promised to give me the note if I would vote for Mr. Mills.

2806. By the *Committee.*] That was the promissory note you had given him?—Yes.

2807. Mr. *James.*] Are you sure that he made that promise to you?—Yes, perfectly sure.

2808. What did you say when he told you that he would give you the note?—He said he would give me it six months after the election.

2809. Where were you standing with Mr. Fowle at the time he made this promise?—We were standing in Mr. Clay's yard.

2810. What did you tell him when he said he would do that?—Of course, I told him I would vote for Mr. Mills.

2811. And did you vote for Mr. Mills?—Yes.

2812. Was it or was it not in consequence of that promise that you voted for Mr. Mills?—Of course.

2813. You have told me that you lived at a place called Yam; how far it that from Northallerton?—Fourteen or fifteen miles, I should say; I do not know the exact distance.

2814. About three weeks ago did Mr. Fowle come over to you?—Yes.

2815. He came over to you at Yam?—Yes.

2816. By the *Committee.*] The same Mr. Fowle?—Yes.

2817. Mr. *James.*] Tell me what he said?

Mr. *Price* objected to the question, on the ground that what was said by the agent after the election was not evidence against the sitting Member.

Mr. *James* was heard in support of the question.

The *Chairman* stated that the Committee were of opinion that if the conversation had a direct reference to the promise made before the election, the question could be admitted.

2818. Mr. *James.*] Mr. Fowle having come over to you these 14 or 15 miles to Yam, what did he say to you?—He said I was not to say anything about it to any of the other parties if they came.

Mr. *Price* contended that this had no reference to the question of the bribery.

Mr. *James* was heard in support of the question.

The *Chairman* stated that the Committee were of opinion that the conversation must in some way be connected with the promissory note.

2819. Mr. *James.*] Did he tell you what you were to say nothing about?—We had the note talked of, the promissory note. He told me he would give the old note up to me and behave well to me.

2820. What was it he said at Yam when he came over; not the nomination day, but when he came over to see you?—That is the note. We had it talked over.

2821. Just tell us what he said to you, as well as you can recollect?—He said he would give me the old note.

2822. When?—He did not promise when he would give it. He would give me the note, he said, and he would behave well to me.

2823. We are keeping now to what he said at Yam the last time you saw him?—Yes.

2824. Mr. *Price.*] Three weeks ago?—Yes.

2825. Mr. *James.*] Tell me again what he said about not mentioning it to any of the parties?—I suppose he meant the Liberals.

2826. By the *Committee.*] What did he say. We do not want what you suppose he meant?—I expected him to mean this transaction of this note.

2827. Mr. *James.*] What was it he said to you. You know what I am asking about; what did he say to you?—He said he would give me the note.

2828. What did he say about not mentioning it?—He said I was not to mention to any of the parties that came what the transactions had been. That would be regarding the note, I should fancy.

2829. Had you had any other transactions with Mr. Fowle before the election except about the note?—I got the note before the election.

2830. That was in 1861. Had you had any other dealings with Mr. Fowle shortly before the election, except as to this note?—No, not that I am aware of.

2831. Can you tell me any business whatever about which Mr. Fowle had come over to Yam to see you, except about this note?—No, I cannot answer that.

Mr. *Price* objected to the question.

2832. Mr. *James.*] I said "to see you." Do you know of any business Mr. Fowle had at Yam to see you about except as to this note?—No, I am sure I do not.

Cross-examined by Mr. *Price.*

2833. You are the gentleman who slipped away without paying the shilling for his lunch, are you not?—I was invited to get my dinner.

2834. You slipped away without paying for your lunch?—I was invited to get my dinner, and of course, I got it.

2835. And you slipped away without paying for it?—Well, I do not know about that.

2836. Had you voted before at the elections?—No.

2837. Never?—Never in my life.

2838. You had not been a voter before then?—No.

2839. Now, this note, was it to bear interest?—Yes.

2840. Did you pay the interest regularly down to December 1864?—I did not pay it last time it came due.

2841. No, because you were insolvent, were you not; sold up?—Yes.

2842. Under a distress for rent?—Yes.

2843. But up to that time you had paid the interest regularly, had you not?—Before that I paid.

2844. Had you not several times declared your politics to Mr. Fowle before there was any conversation about the note, and said you would vote for Mr. Mills?—I perhaps would; I cannot say.

2845. Before Mr. Fowle ever said anything about the note, you had declared your intention to vote for Mr. Mills, and expressed yourself as a supporter of his?—Of course, I knew there was a note standing.

2846. But before anything was said about the note, had not you told Mr. Fowle that you intended to vote for Mr. Mills?—I perhaps might have said so; I cannot say.

2847. You did say so, did you not?—I perhaps might.

2848. You

2848. You did?—Well, I say I perhaps might.

2849. But did you not; that is the question?—I cannot say, I am sure.

2850. You cannot say, now?—I might have said so.

2851. You might; the question is, whether you did?—I might have said so.

2852. When was it you were sold up?—It would be in November, I believe.

2853. November of what year?—It would be in last year.

2854. One thousand eight hundred and sixty-five?—Yes.

2855. Was Mr. Mayne the auctioneer who sold you up under your landlord?—Yes.

2856. Did you tell Mr. Mayne that you owed your landlord 50*l.* and that 200*l.* would not be sufficient for you, as you owed Mr. Fowle 50*l.*?—No, I cannot say I did.

2857. Did you tell Mr. Mayne, when he was selling you up, that 200*l.* would not be sufficient, as you owed Mr. Fowle 50*l.*?—No.

2858. Will you swear that?—I will, I think.

2859. Eh?—Yes.

2860. Nothing of the kind?—I think not; I am sure of it.

2861. Will you swear you did not?—I swear I did not.

2862. Nothing of the sort?—Yes.

2863. Why did you say you thought not, if you are quite sure?—Well, I never had no such conversation with Mr. Mayne.

2864. Why did you say you thought not, if you were quite sure; are you quite sure?—Yes, I am.

2865. Why did you say you thought not?—I never had no such conversation with Mr. Mayne.

2866. Why did you say you thought not?—I do not know, I am sure.

2867. Did you say to him that you owed Mr. Fowle 50*l.*?—I think there was a good few parties, if it came to that.

2868. Did you say to Mr. Mayne that you owed Mr. Fowle 50*l.*?—I suppose I might.

2869. At the time you were sold up?—I cannot recollect all things that passed.

2870. You will not swear that you did not say so?—I cannot.

2871. And you did owe him 50*l.* in November?—Of course; I acknowledge to that.

2872. Who was present at the "Golden Lion" yard, when you say Mr. Fowle told you he would forgive you the note?—There was no one but him and myself.

2873. What time of the day was that?—It would be about one o'clock, as near as I can tell.

2874. In the "Golden Lion" yard?—Yes.

2875. Did you go through the hotel at all to the yard?—Yes.

2876. Did you see anybody as you went through?—I perhaps might.

2877. Did you ask for Mr. Fowle to come out there?—No.

2878. Did you find Mr. Fowle in the yard; do you mean to say that?—Mr. Fowle was in the yard, and when I came out we met together.

2879. Did you find Mr. Fowle in the yard when you got into the yard?—Yes.

2880. By himself?—He was in the yard, crossing from the other room, I believe.

2881. Crossing from the long room to the other part of the house?—I believe so.

2882. Do you mean to say he was coming from the long room?—He was coming from that way.

2883. Who was it told you to go down to the "Golden Lion;" let us have the name of the gentleman?—He was Mr. Cooper, the auctioneer.

2884. Is that William Taylor Cooper?—I do not know his Christian name; he is an auctioneer.

2885. Where does he live?—He lives at Northallerton.

2886. When did he tell you to go to the "Golden Lion"?—It would be on the Wednesday before the election.

2887. It would be; but was it?—Of course it was.

2888. Where did he see you?—He saw me at my own inn, the "Black Bull."

2889. Have you said you got 50*l.* for your vote?—No, I have not.

2890. Did you say you got 5*l.* for your vote?—I have not.

2891. Have you said so?—No, I have not.

2892. Never?—No.

2893. Have you never said you got any money for your vote?—I got this money that was lent on the promissory note.

2894. Have you ever said you got any money for your vote?—I expected this upon the note.

2895. Have you ever said that you ever got a sum of money for your vote?—Well, I expect this that was promised.

2896. Do not tell me what you expect; have you ever said you got a sum of money for your vote?—That would be it, I believe.

2897. Have you ever said that you got a sum of money?—I expected the 50*l.* would be for my vote.

2898. By the *Committee.*] Have you ever said so?—I perhaps might. Yes, of course.

2899. Mr. *Price.*] You know what I mean; you shall not prevaricate about it. Have you ever said you got a sum of money for your vote; not 50*l.*, but a sum of money; less than 50*l.*?—No, I do not think I have.

2900. Will you swear you have not?—I am sure I have not; not to my knowledge I have not.

2901. You must know whether you have or not; upon your oath, have you not said you got 50*l.* for your vote?—No, I have not.

2902. Never said so?—No.

2903. Any other sum less than 50*l.*?—No.

2904. Have you never said that you got a specific sum of money for your vote, quite independent of the 50*l.*?—No, I have not, to know.

2905. Will you swear you have not?—I have got no money but what is on the note.

2906. I know you have not got any; will you swear you have not said you got some?—No, I never did, to my knowledge.

2907. You may have forgotten it, then; if you did say so, was it true?—I never did.

2908. If you did say so, was it true?—I never got any money.

2909. If you said so, was it true or false?—I never got any money at all.

2910. Then it was false?—Of course it was.

2911. Did you see Mr. Fowle on the 28th March; is that the time, three weeks ago, when you say that you saw him?—I do not know the date.

2912. You told my friend it was about three

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weeks ago; is that the time?—It is about three weeks ago, I believe.

2913. Did Mr. Fowle ask you then what you meant by saying that "he had promised to forgive you the amount due on your note if you would vote"?—He said he would give me the note.

2914. Attend to my question. Did Mr. Fowle ask you then what you meant by saying he had promised to forgive you the note; did he ask you what you meant by it?—He said he would give me the note if I would say nothing about it to the other party.

2915. That is not the question. Did Mr. Fowle ask you, when he saw you at Yam, what you meant by saying that he had promised to forgive you the note. You must understand that?—He said if I would not say anything to the other party when they came.

2916. That is no answer to my question?—I cannot say anything more; I want to speak the truth.

2917. Did Mr. Fowle ask you—now attend to the question—what you meant by saying that he had promised to forgive you the note. Now, you must understand that?—I do not understand, I am sure.

2918. By the *Committee.*] You must understand that; it is as plain a question as ever was put to a witness?—I do not know the conversation that we had.

2919. Mr. *Price.*] I will ask once more, and I will not put it any more, because I will not weary the Committee. Did Mr. Fowle ask you what you meant by saying that he had promised to forgive you the note when he saw you at Yam?—I do not understand, I am sure; what I meant?

2920. Yes. Did he ask you what you meant by saying he had promised to forgive you the note?—I do not know, I am sure.

2921. Do not laugh. Did he say so or not?—He said he would give me the note if I would say nothing.

2922. That is not the question?—Well, I am sure I do not understand it.

2923. Did Mr. Fowle say to you, "What do you mean by saying that I promised to forgive you the note?" did Mr. Fowle say that to you?—The conversation Mr. Fowle had with me——

2924. Did he say that to you?—He said he would give me the old note if I would say nothing about it.

2925. That is not an answer to the question?—I do not understand.

2926. You refuse to answer that question?—No, I do not, if I properly understood it.

2927. By the *Committee.*] Three weeks ago, you say, Mr. Fowle came to you?—Yes.

2928. The learned Counsel asks you whether when Mr. Fowle came to you, he said to you, "What do you mean by saying that I promised to forgive you the note"? Did Mr. Fowle say that to you or not?—Mr. Fowle said he would give me the note.

2929. Did he make use of the question that I put to you, "What do you mean by saying that I promised to forgive you the note"?—He said he would give me the note.

2930. Mr. *Price.*] Just attend to me—did he say to you, "What do you mean by saying that I promised to forgive you the amount due on the note if you would vote when you knew it was not true;" and did you say to him, "It was because you thought Mr. Fowle ought to have entered an appearance for you when you were served with a writ at the suit of your father's executors"?—Aye, of course there was something about that, I believe.

2931. Then you did say, did you, that it was because you thought that Mr. Fowle ought to have entered an appearance for you?—I believe I did say so.

2932. Why did you say that?—Because I thought the farm ought to have been carried on according to agreement, and I went to Mr. Fowle's for to put an appearance.

2933. Was that the reason that you gave?—Of course I got vexed.

2934. You were vexed with Mr. Fowle for not having entered an appearance?—Of course I was.

2935. And you are now vexed against him?—No, I am not.

2936. You were at the time?—Yes.

2937. You thought he behaved ill to you. Did you give that as a reason to Mr. Fowle for having said that he promised to forgive you the note?—No, I do not know whether it was mentioned when Mr. Fowle came to you. Yes, I think it was; I said I thought he had a right to put an appearance to the writ.

2938. Was that in answer to Mr. Fowle's question as to why you said he had promised to forgive the note?—I do not understand that at all, I am sure I don't.

2939. Can you give any explanation to the Committee why you said to Mr. Fowle that you blamed him on that occasion for not having entered an appearance?—I blamed him because I thought he ought to put in an appearance.

2940. Why?—I think I should have been on the farm yet. There was a lease for 14 years.

2941. He said he would forgive you the note, and then you blamed him because he had not done something else?—This was after.

2942. I know it was three weeks ago. How did the conversation begin about Mr. Fowle entering an appearance for you. How was it that came out?—The writ came to me, and I took it to Mr. Fowle.

2943. When?—A piece after I got it.

2944. How long?—I do not know, I think it was made out for 16 days. I went within 16 days.

2945. How was it that you said three weeks ago to Mr. Fowle that it was because you thought —— ?—I said I thought he ought to put an appearance against it.

2946. Was that after he asked you the question why you said he had promised to forgive you the note?—I do not know, I am sure.

2947. Was that answer given after he had asked you why you went about saying he promised to forgive the note. Did you give that as a reason for having gone about and said so?—That was my idea at the first.

2948. That was what you said?—I said I thought he ought to put an appearance against it.

2949. Was that the reason you gave him when he asked you why you had gone about saying he had promised to forgive you the note?—I do not understand it.

2950. Was it, or was it not. You do understand?—He did not put an appearance against it.

2951. Was

2951. Was that the answer you gave him when he asked you why you had gone about saying he had promised to forgive you the note?—I do not know. I do not understand it, sure. I do not understand the meaning of it.

2952. Had Mr. Fowle declined to put in an appearance for you?—Yes.

2953. Did you on that occasion tell Mr. Fowle that you could not at that time repay him the 50 *l.*?—I believe I told him so at Yarm.

2954. Three weeks ago?—Yes.

2955. Why did you tell him that you thought you could not repay the 50 *l.* if you understood he had forgiven you. Why did you say that?—The note was standing; of course I did not get the note back.

2956. Did you believe that Mr. Fowle had promised to forgive you the note?—Mr. Fowle promised to give it.

2957. Did you believe that Mr. Fowle had promised to give you the note?—I believe he would have given it.

2958. Did you believe he had promised to do so at that time?—He did promise.

2959. Then why did you make an excuse, and say you were not able at that time to repay it?—He did promise. I cannot pay the money.

2960. Why did you tell Mr. Fowle that, if you thought he had forgiven you?—I do not know that I did say that.

2961. Had he asked you for payment?—No.

2962. Why did you say so; that you thought you could not repay him?—I thought I had a right to have the promissory note. The note had a right to be given up.

2963. And Mr. Fowle refused to give it up, did he?—I do not think I ever asked for it.

2964. Why did you say to him that you could not repay him the 50 *l.*?—I do not think he ever asked for it.

2965. Why did you say to him that you could not repay him on that occasion?—Of course I could not.

2966. Did Mr. Fowle ask you what you had done with the money realised by the sale?—No, I think not.

2967. Will you swear he did not?—I believe not.

2968. On the same occasion?—I cannot say that.

2969. Did you tell him it was all gone?—Well, I could account for it.

2970. Did you tell him that it was all gone?—Yes.

2971. Did he ask you what you had done with it?—No; I think not.

2972. How did you happen to tell him it was all gone?—I knew there was this 50 *l.*; this promissory note.

2973. Did you tell him that the money was all gone that was realised by the sale?—Yes.

2974. Why did you tell him that?—I told him I had nothing.

2975. Had he asked you for something?—No.

2976. Why did you tell him?—I do not know; I cannot say.

Re-examined by Mr. Serjeant *Ballantine*.

2977. You say that he had promised to give back the note after the election; did you make any application for it?—No.

2978. But it did not come to you?—No.

2979. In the meanwhile, you got served with a writ?—Yes.

2980. What was it, a writ of ejectment?—Yes.

2981. For a farm that you were occupying?—Yes.

2982. Under whom?—Under Mrs. Pears.

2983. You were served with a writ of ejectment?—Yes.

2984. And you took that to Mr. Fowle, did you?—Yes.

2985. Why did you take it to Mr. Fowle?—I took it to put in an appearance against it.

2986. To put in an appearance for you?—Of course.

2987. The time elapsed, and the appearance was not put in?—It never was put in.

2988. Were you ejected?—I went out, Mr. Fowle said I had better go, and I went out.

2989. You say Mr. Fowle not having entered an appearance, you were angry about it?—Of course I was. There was a lease of the farm for 14 years, and I had been there eight years, I had a good deal on it, first one thing, then another.

2990. Whether right or wrong, you thought you were hardly treated?—I did; I think I had a right to be there yet.

2991. And you were angry about it, I suppose. People even in Yorkshire are sometimes angry. Where was the place that he came to you?—At Yarm.

2992. My friend has asked you whether you did not say particular things. Just give to the Committee, quietly, the whole of the conversation, as near as you can recollect it. When he came to you, what did he first say to you?—Well, he said, "What is all this cock and bull story about?" That is as near as I can remember it, and I said I did not know; I said he knew more about it than I did. I will speak the truth as far as I know, I cannot do any more.

2993. Now go on. He knew more about it than you did. What did you say then, or what did he say?—We had it talked over; what we had been talking before about this note. He said he would give me the note, he had promised it, and he would give it, and I was not to say anything to the other party if they came to ask me questions, and he said he would give me the note, and he would behave well to me. That was the conversation.

2994. Was it after that, or before that, that the subject of the writ was introduced?—I do not know, I am sure, which that would be; I cannot say. I said I blamed him for not putting an appearance against it.

2995. Did you say you blamed him for it?—Yes.

2996. Do you recollect if you mentioned to anybody the promise of forgiving this note before the interview with Mr. Fowle?—No.

2997. You do not know how he came to know anything about it?—About what?

2998. You do not know anybody whom you had mentioned the fact to?—No, I am sure I do not.

2999. You may have done so?—I may. I knew the note was standing against me.

3000. Has any demand been made for it since the election day?—No.

3001. By the *Committee*.] Have you told us all that passed between you and Mr. Fowle?—I believe I have.

[The Witness withdrew.

JOHN THOMPSON, sworn; Examined by Mr. Serjeant *Ballantine*.

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3002. YOU are deaf, I understand?—Yes; more than 12 months.

3003. Do you live at Brompton?—If you choose to write it down, I will answer you everything you want to know.

Mr. *Price* objected to this Witness being examined, on the ground that there were two voters of the name of John Thompson on the register, and cited a case from Power, Rodwell, and Dew.

Mr. Serjeant *Ballantine* urged that the case cited was only one of scrutiny, and was not a precedent.

Mr. *Price* was heard in reply, and contended that the principle applicable to a case of scrutiny was *à fortiori* applicable to a case of bribery.

The room was cleared, and the Committee deliberated. After a time, counsel and parties were re-admitted.

The *Chairman* stated that the Committee had come to the following decision: "That the requirements of the Third Preliminary Resolution, in the case of John Thompson, have not been sufficiently complied with, and that the case cannot now be entered into."

The Committee called the attention of counsel on both sides to the "Liverpool" case in 2 P. R. & D. p. 249, as the case upon which their decision was based.

JAMES ARCHER, sworn; Examined by Mr. Serjeant *Ballantine*.

J. Archer.

3004. WHAT are you?—Well, I am a Pig Dealer.

3005. Where?—At Northallerton.

3006. Are you also a voter?—Yes.

3007. Do you remember, some time before the last election, Mr. Fowle calling upon you?—Yes, I do.

3008. You remember him coming to see you?—Yes.

3009. How long before the election was this?—Tuesday, sir, I believe; the day before the nomination.

3010. Was anybody with him?—No, he was by himself.

3011. Was anybody with you?—No, nobody was with me but my wife.

3012. That is nobody, I suppose; nobody but your wife. What did he say to you?—He said Mr. Snowball had sent him to see if I would vote for them.

3013. And what did you say?—I said it made no matter who had sent him; I should not promise my vote to neither party.

3014. What did he say upon that?—He said, "Well," he says, "if you will only promise to vote for us you can have yon field of mine."

3015. "You can have yon field of mine," he said?—Yes.

3016. What field was that?—I axed him what field.

3017. What did he say?—He said, "Did your wife never tell you about that field?"

3018. Had your wife told you anything?—Yes; she had told me some days before.

3019. What did you say then?—I said, Yes, she had told me.

3020. What did he say?—I said I did not want a field at present.

3021. What did he say to that?—I said I did not want a field the time of the election was on from neither party.

3022. Did he say anything further?—He said, "Well," he says, "if I would only have this field, he would put the cow-house in good repair, and I could have it first year for nothing, and 12 *l.* a year afterwards."

3023. Did you know the field he referred to?—I knew it very well.

3024. How many acres is it?—I believe it is five acres.

3025. What would be the worth of it?—Well, our land about our village is chiefly about 4 *l.* an acre.

3026. What did you say to that?—I tell'd him I didn't want any promises, promises was good for nothing.

3027. Did that end the interview?—No; we had some more.

3028. Tell us what more?—He said, "You don't know what you may want"; he says, "You might want a friend some day."

3029. Well, what did you say?—I said I didn't want a friend as long as I kept in good health; I had a friend in my pocket of my own.

3030. What did he say?—Well, he said I might have a son want a berth or something sometime.

3031. Have you a son?—No.

3032. This was in prospective, then?—Yes.

3033. Well, what did you say to that?—I said it didn't matter what I wanted; I should have nothing to do with no fields during the election. That was all, sir.

3034. Did your wife hear all this?—Yes.

Cross-examined by Mr. *Price*.

3035. Now, Mr. Archer, have you had your evidence read over to you just before you came into the room?—Well, I did.

3036. What you were to say here was read over to you?—I can tell you if it's 50 years after.

3037. But somehow or other you had your evidence read over to you just outside the door?—He was asking me if I remembered——

3038. Did he read over from a paper to you?—Yes.

3039. A piece of paper like this (*pointing*)?—Yes.

3040. By the *Committee*.] Who was it read it over?—

3041. Mr. *Price*.] Was it this gentleman (*pointing*)?—Yes; he axed me if it was true, that was all.

3042. There was no occasion to remind you, then?—I could tell you 30 years after this, if you axed me.

3043. You have not a doubt about it—about the conversation; there was no occasion to refresh

refresh your memory?—I have not a bit of doubt about it.

3044. Who did you first tell the story to?—I have telled it to several, I should think.

3045. Who did you tell it to first?—I cannot say.

3046. To Captain Pearce?—No.

3047. Do you know him?—Yes.

3048. Have you seen him once or twice about this election matter?—Never at all.

3049. About your evidence?—No; I see'd him once.

3050. What did you see him about?—Nothing.

3051. Then nothing came of it?—No.

3052. How did you vote?—I voted for Mr. Johns.

3053. Did you see Mr. Pearce about your vote for Mr. Johns?—No.

3054. Who canvassed you for Johns?—Well, there was several parties.

3055. Was Captain Pearce there?—I don't think he was there.

3056. When was it you saw him about nothing?—I never did see him about anything.

3057. Did you see him at all?—I see him now.

3058. Had you any conversation with him?—No, I never had any conversation with the man beyond once in my life.

3059. When was that?—Two or three weeks, it may be.

3060. What were you talking about; the election?—No.

3061. About the petition; about this case, you know?—Well, I think I did say to him I would rather they did not fetch me here. It did not suit me to come from my trade.

3062. Did he talk to you about your evidence?—He never did; he said it did not matter to him; if I went, I should have to go. It laid in the hands of the Lord Chancellor, or something of that sort.

3063. Who brought you up; Mr. Dodds' clerk; do you know Mr. Dodds?—I got a paper to appear here.

3064. Did Mr. Dodds' clerk bring you up here?—No.

3065. Are you staying at the same place as Mr. Dodds' clerk?—We are stopping at the same place.

3066. You said several persons canvassed you for Johns; tell me the names of them?—Well, I don't remember hardly who they were.

3067. You know Mr. Johns himself?—Yes.

3068. Mr. Wilford; did he come?—No.

3069. Who did?—I don't hardly remember; I remember young Mr. Atkinson.

3070. Did Mr. Metcalfe come?—No.

3071. Had you had a talk to Mr. Fowle about this field in the spring of last year?—I never had any talk to him about it.

3072. Hadn't you asked him to let you have it for 8 *l.* a year?—No, sir.

3073. Had you had any hay of him?—No.

3074. Had you mowed any hay?—I mowed it this season.

3075. Did you know from your wife that she had asked Mr. Fowle to let the field for 8 *l.* a year?—I know what she told me.

3076. Did she tell you she had asked him that?—No.

3077. You did not know that Mr. Fowle refused to take the sum which she offered?—I know he proffered it to me the way he had offered it to her.

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3078. What for?—For 12 *l.*

3079. Had your wife said she could not afford more than 8 *l.*?—She told me she had bidden him 9 *l.* for it; and he offered it for 10 *l.*, I believe, according to what she told me.

3080. He said 10 *l.*, and she offered 9 *l.*?—Yes.

3081. You said it was five acres; there are two acres of it in tillage?—No, sir, I think not.

3082. Are you sure?—I am sure.

3083. Do you mean to swear that?—I will swear it. I can give you a good proof of that; this season the crop was put up by auction; no; last season; and it was sold for four acres, more or less, was the grass crop. Very well, then the oats was put up, and it was sold for 8 ½, more or less.

3084. Is it a fact, or not, that at the time you were speaking to Mr. Fowle there were two acres in tillage?—They would not put it up to auction.

3085. Answer the question; were there two acres in tillage then?—I never measured it; I won't swear it; I never measured it.

3086. You were not to have the two acres that were in tillage?—All the field; I will swear that.

3087. Had your wife been to Mr. Fowle, or had you been several times to offer 8 *l.* for this?—Never at all, to my knowledge.

3088. I thought you said your wife had been?—He had lit on her in the road with cows or something; that is the way the conversation took place.

3089. Had Mr. Fowle always refused to take the rent your wife offered?—No, I do not know there was any.

3090. On the nomination day, did you send to Mr. Fowle?—No.

3091. Did you send anybody to say you wanted to see him?—No.

3092. He came to you, then?—He did.

3093. When he came to you, did not he tell you he would not take a farthing less than he had told your wife he would take?—He never said such a thing. When I told him I would not have the field, promises was good for nothing, as soon as the election was over he would want to rise the rent. He said, "No;" it was his own field, and he would take his oath I should have it as long as he lived; he could not be answerable for Mr. Mills's land, or Mr. Laish's.

3094. Do you know a man called George Flower?—I do.

3095. Did you tell Flower that Mr. Fowle had offered you the field at 12 *l.*?—I don't know whether I did or not.

3096. Will you swear you did not?—No.

3097. Do you remember talking about the offer Mr. Fowle had made to you?—I have telled several people.

3098. Did you say Fowle had offered you the field at 12 *l.*?—I did.

3099. Did you ever say, till you came here to-day, to anybody, that Mr. Fowle had said you should have it the first year for nothing?—I have.

3100. Who did you say that to?—I did not think there would be anything about this; and I don't know that I can say.

3101. Who did you ever tell before to-day that Mr. Fowle said you should have it the first year for nothing?—I believe Mr. Johnson, the banker,

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banker, a few days ago. You can ax him. I don't know whether I did or not.

3102. Now to come back to Flower. On the 21st of April you saw him, that is two or three days again; you must remember all about that; did you have a conversation with Flower?—I have talked to him several times.

3103. Yes; but two or three days ago?—I was talking to him a few days ago; but I don't know we had anything said about this affair.

3104. Did you tell Flower that Mr. Fowle had offered the field at 12 *l.*?—I won't swear I did, because I don't remember.

3105. Will you swear you did not?—I won't.

3106. Was the conversation in your own house, or in Flower's house?—He has a shop against the house; but we were not on anything to do with electioneering.

3107. Did you, or did you not tell Flower that?—I won't say one way or the other, whether I did or did not. We were not on electioneering business at all.

3108. What is Flower?—He is a joiner and cabinet maker by trade.

3109. Did Flower ask you what you were going to say when you came up here?—No; I do not think we had anything of that mentioned.

3110. It is only four days ago. Did George Flower ask you what you were going to say?—I do not think we had anything mentioned about the job at all.

3111. Will you swear he did not ask you this?—I will.

Re-examined by Mr. Serjeant *Ballantine.*

3112. What is he?—A joiner and cabinet maker.

3113. He is a voter, I suppose?—No; he is no voter.

3114. You have spoken to something that your wife told you had passed between her and Mr. Fowle. When did your wife tell you that a conversation had taken place?—One night she came home.

3115. How long before the election?—It might be two or three weeks. I do not remember.

3116. She told you this conversation had taken place that day?—Yes.

3117. That was two or three weeks before the election?—Yes; I know George Flower well. George Flower seven years since proffered me 30 *l.* to go and vote for the Blues.

3118. By the *Committee.*] Did you vote at all?—Yes; with Mr. Johns.

3119. What did you say the grass land lets for?—Four pounds an acre, but this piece has been let for five. There is very little grass to be got for 4 *l.* an acre, until you go a mile out, or so.

3120. That is accommodation land let for that purpose?—That is what it is let for; accommodation purposes, you know. There is land as good, that farmers has for less money.

[The Witness withdrew.

Elizabeth Archer, sworn; Examined by Mr. Serjeant *Ballantine.*

E. Archer.

3121. Are you the wife of the last witness?—Yes.

3122. You remember, I suppose, the last election?—Yes.

3123. Some short time before that election, did you see Mr. Fowle?—Yes, sir, I did.

3124. How long was it before?—I cannot say particular.

3125. I won't ask you to a day or so, but about how long do you think it was?—It might, perhaps, be a fortnight, or it might be more, I cannot say.

3126. Was Mr. Fowle alone, or was any one with him?—There was Mr. Flintoff, the butcher.

3127. Did Mr. Fowle speak to you?—Yes, he did. As I passed, he said, "Here comes the biggest slave in Northallerton."

3128. Who did he say that to?—To me.

3129. By the *Committee.*] What day is this?

Mr. Serjeant *Ballantine*: About a fortnight, or a little before the election.

3130. Mr. Serjeant *Ballantine.*] Did you agree to that?—Well, I don't know; I leave that to others.

3131. What did you say to him. Did you say anything?—I said, "Well, I could not help that."

3132. What did he say to you, then?—He says, "You see, if you would take this land of mine, how much nearer hand it would be for you."

3133. What did you say?—I said, "Well, but it is too much rent."

3134. What did he say?—He says, "Well, you do not know the rent."

3135. What did you say then?—Well, I says, "I know what it has been."

3136. What else?—I said, "It has been 19 *l.* or 20 *l.* a year," and he says, "Well, you don't know what the rent will be now."

3137. What did you say?—I says, "Well, it is very poor now, it has been reaped one year after another, now it is very poor, and ought not to be so much."

3138. What did he say?—He says, "I will take 12 *l.* a year," and I says, "I will give you nine."

3139. Did he say any more?—Yes, and he says, "Well," he says, "I will give you a ton of guano for management."

3140. Did he say anything about your husband?—Not then.

3141. Go on, tell us the conversation?—And so he agreed to take 10 *l.*

3142. Well, what else?—And I said, "Well, I would hear what my husband said when I went home."

3143. Did you tell your husband?—Yes; I mentioned it to him.

3144. Did Flintoff make any remark?—When I went home I told my husband.

3145. I mean before you parted with Fowle, did Flintoff make any remark?—He said the field was cheap, and I was to try my husband to take it.

3146. And you went home and told your husband, did you?—Yes, at night.

3147. Do you recollect the Tuesday before the election, Mr. Fowle calling at your house?—Yes.

3148. And your husband was present?—Yes.

3149. What did you say to your husband?—He says, "Snowball sent me to say that you will

will promise me your vote," and he says, "Neither to you nor no one else."

3150. What?—"No," he says, "I will not promise my vote to anyone."

3151. What did Fowle say?—He says, "If you will only promise me your vote, you can have that field."

3152. What did your husband say?—He said, "What field?"

3153. What did Fowle say?—He said, "Has not your Missis told you about that field of mine?"

3154. What further?—He says, "She mentioned something about it, but I told her I could not take it on any account, at the time the election was going on."

3155. Was that a fact, that he had so said to you?—Yes, sir, it was.

3156. Did you say anything further?—He said, "Well," he says, "will you promise, if you won't vote for me, you won't vote against us."

3157. Did your husband say anything to that?—He says, "I will not promise to anyone, and I will not promise that."

3158. Was anything further said?—He says, "After the election your promises will be nothing," he says.

3159. Your husband said that?—Yes, he said, "You will take the field from me again;" and he says, "It is my own."

3160. Mr. Fowle said, "It is my own"?—Yes, and, "I can do as I like with it, and I shall never disturb you as long as you want it."

3161. What did your husband say to that?—He said he would not have it, upon any account, and said it was his own, and if he voted for neither party he would not have a friend.

3162. Who said that?—My husband said that.

3163. Said what?—Mr. Fowle said, if he did not vote for neither party, if he stood in need of a friend, he would not have one.

3164. What did your husband say?—Well, he says, "As long as I have my health, I do not want a friend, as long as I have a friend in my pocket."

3165. Mr. Fowle said something else to you, didn't he; you need not be ashamed to tell us, what was it he said, then?—"Oh," he says, "perhaps if you have a son, you will want a situation in an office or something. You will want a friend and," he says, "you will not have one." "Well," he says, "I do not want one as long as I have my own."

3166. Was that all that took place?—Yes, sir, I think it was.

3167. Have you seen Mr. Miles Soppett at all?—Well, I did see him one day.

3168. Did he say anything to you?—There had been canvassing at Brompton, and he was returning home by hisself. I cannot say which way the others had gone. I had been tending my cows in the lane, and we got on about canvassing, and he said, "Had my husband promised his vote?" and I said, "No."

Mr. *Price* objected to this evidence, on the ground that a conversation between Mr. Soppett and a person who was not a voter, could not possibly be evidence against the sitting Member.

Mr. Serjeant *Ballantine* was heard in support of the evidence being received, urging that the witness was the wife of a voter.

Mr. *Price* was heard in reply, and quoted the Sudbury case, from Rogers, page 482,

The *Chairman* stated that the Committee were of opinion that the question might be put.

3169. Mr. Serjeant *Ballantine.*] What was it he said to you?—Mr. Soppett?

3170. Yes, what did he say to you?—He asked me if my husband had promised his vote. I said "No, sir, nor did not intend it."

3171. Did he say anything further?—Well, he says, "your husband is like to promise us his vote." He says, "You know you might want a friend," he says. He says, "You might want a cheap field."

3172. Was that all that passed?—He says, "You might want a friend," he says, and I says, "After the election none of you can see us; you pass us and don't know us."

3173. Is that the result of your experience?—Yes.

Cross-examined by Mr. *Price.*

3174. I have only one question to ask you, Mrs. Archer. You have told us all that passed when Fowle came and spoke to your husband?—Yes.

3175. Have you had your evidence read over to you, as your husband had, before you came into the room?—Yes, sir.

3176. Was this read over to you *(holding up a paper)*?—Yes.

Re-examined by Mr. Serjeant *Ballantine.*

3177. Where, first, did you give your evidence; when did you make a statement to a gentleman for the purpose of being examined?—Only this morning.

3178. You never gave your evidence before this morning?—No.

3179. Then after you gave your evidence it was read over to you?—No.

Mr. *Price* to the *Chairman.*] Will you ask whether they brought her up here, without examining her.

Mr. Serjeant *Ballantine.*] We brought her up on the strength of her husband's statement.

3180. By the *Committee.*] You have not been examined at all until to-day. Is that a fact?—No, never at all until this morning.

[The Witness withdrew.

MARK JOBLING, sworn; Examined by Mr. *James.*

3181. ARE you a Shoemaker, living at Brompton near Northallerton?—Yes.

3182. You are a voter for the borough of Northallerton?—Yes.

3183. Do you know Mr. Smith-Leing the younger?—Yes.

3184. Did he ever come to your house in company with Mr. Mills to canvass you?—Yes, twice.

3185. Did

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3185. Did he canvass you in the presence of Mr. Mills?—Yes.

3186. Did you promise those gentlemen or not, in the first instance?—No, sir, I never did.

3187. Did he ever make any promise to you; or was anything said to you about any land of his; tell me what?—He offered me a situation, sir, for 25 *l.* a year.

3188. What was the situation?—It was house and land.

3189. By the *Committee.*] Give us the words. You say he offered you something?—It was during the election, I could not say the day. He offered it me several times; frequently.

3190. Mr. *James.*] Where was the house and land, did he tell you?—Yes, it was about ten minutes walk from Brompton; not so much.

3191. Did you know by whom it had been kept?—Mr. Mitchenson.

3192. Did he tell you what you were to have the house and land for?—Yes; 25 *l.* a year.

3193. Did he tell you anything more about it, as to who was your landlord, or what it was let for?—He said it was let at that time for 32 *l.* Mr. Johns took it, and Mitchenson had promised his vote previously to that; and, on that account, he would be discharged, and I should have the offer of it.

3194. In consequence of that promise to Wrightson, this man was to be discharged and you were to have the offer of it?—Yes.

3195. He told you the man had been paying 32 *l.* a year?—Yes.

3196. And on what terms were you to have it?—He said he expected I should go with them.

3197. Was that said at the same interview as that where he offered you this land for 25 *l.*?—Yes; frequently.

3198. What did you say?—I told him I could not make up my mind to go with them.

3199. What did you say about the land?—I said the land was cheap; it was worth the money; but I did not believe in that party. I was on the Liberal side.

3200. You did not believe in what?—I did not believe in the Tory party. I was on the other side.

3201. Did he make this offer to you once, or more?—Frequently during the election.

3202. Mr. Smith-Leing?—Yes.

3203. Upon those occasions did he ask you to vote?—He never asked me to vote for Mr. Mills; he said he should expect me to go with them.

3204. And you knew which side he was taking?—Yes; Mr. Mills' side.

3205. How many times did he come to you about the vote?—Three or four times a week. Sometimes two or three times a day; then he would be away two or three days, going up and down. He used frequently to come.

3206. Do you recollect on the last occasion of Mr. Mills being at your house; was Mr. Smith-Leing with him?—Yes.

3207. Did they come to a room in your house?—They came into the house.

3208. Did Mr. Smith-Leing sit down or stand up?—He sat down.

3209. Where?—On the sofa.

3210. What did he say then?—He asked me for my interest. Mr. Mills asked me for my interest, and I told him, "I could not go with you, I am against you." Mr. Smith-Leing said, "Come, you must go with us, and I will make you all right."

3211. Did he say, "I will make you all right"?—Them was the words he used.

3212. On any of those occasions when Mr. Smith-Leing was asking you for your vote, was your wife present?—Yes, frequently.

3213. In her presence was anything ever said about this 32 *l.* land which you were to have for 25 *l.*?—She has heard him offer it many a time. He used to come into the house and make the offer, and she heard him.

3214. I believe you never have had the land?—No.

3215. How did you vote?—I voted for Mr. Johns.

Cross-examined by Mr. *Price.*

3216. Who canvassed you for Mr. Johns; Mr. Johns himself?—Yes, sir.

3217. Who was with him?—Mr. Pattison and Mr. Wilford.

3218. What are you; you spoke so indistinctly, I didn't hear you?—A shoemaker.

3219. Do you hold any land at all?—Yes; I have an acre and a half.

3220. Who do you hold it of?—Mr. Wrightson.

3221. That is the gentleman who was the Liberal Member before Mr. Mills was elected?—Yes.

3222. How long have you held under him?—About three years. Three years I have been in yon place, but I don't live in the house.

3223. You don't want any more land?—It made no difference to me.

3224. It made no difference to you?—No; I was not particular about any more.

3225. You were not particular about it?—No.

3226. You never went and asked Mr. Fowle to let you have some land?—No, I didn't.

3227. Two or three months before the election didn't you ask for a farm under Lord Harewood?—No; Mr. Smith-Leing said if I wanted a farm I could have one if I could induce my brother to go with him.

3228. Two or three months before the election did you ask Mr. Fowle to let you have a farm belonging to Lord Harewood?—No, sir, I never did; Mr. Smith-Leing told me if I wanted any more land, if I could induce my brother to go with us, we should have a farm.

3229. Two or three months before the election, before anything was known about it, was that?—This was before.

3230. Two or three months before?—Yes, this was about May.

3231. You never went to Mr. Fowle, to his office, to ask him about this farm?—I went with Mr. Smith-Leing.

3232. Did you go to Mr. Fowle's office?—With Mr. Smith-Leing? Yes.

3233. Did you ask Mr. Fowle to let you a farm under Lord Harewood?—No.

3234. What did you go for, then?—There was two fields that Mr. Raper now has, and Mr. Smith-Leing took me there to offer me them; Mr. Fowle said there was two votes there, and if I took it——

3235. You went down with Mr. Smith-Leing to ask Mr. Fowle to be allowed to take two fields?—Yes.

3236. Did Mr. Fowle tell you he could not let you have them because they were not at liberty; did he say that?—No; he said in those fields there was two votes, and if I took it, it would make them objectionable votes.

3237. He

3237. He refused to let you have the fields?—Yes.

3238. He didn't tell you he believed the fields were not at liberty?—I don't remember he did.

3239. Will you swear he didn't; will you swear he did not tell you the fields were not at liberty, and you could not have them?—Them were the words he said.

3240. Will you swear he did not say he could not let you have the fields?—I cannot say that; I swear he said those fields would make objectionable votes.

3241. Will you swear he did not say to you, you could not have them because they were not at liberty?—In that respect, because there was two votes in them.

3242. Did he say they were not at liberty?—I cannot say.

3243. What makes you recollect the other so well, and yet you cannot swear to this; have you had your evidence read over to you?—No, I have not.

3244. When?—I have not had it read over at all.

3245. Never since you gave it?—No.

3246. Where did you give it?—At Brompton.

3247. When?—Perhaps a month since; I do not know.

3248. How long have you been in town?—Since Monday.

3249. You have not been refreshed at all about it since you have been here?—No.

3250. Do you know a man of the name of Robert Wright?—Yes.

3251. Did you tell Robert Wright Mr. Mills would not promise anything?—Robert Wright never asked me.

3252. Attend to my question; did you tell Robert Wright Mr. Mills would not promise anything?—No, I do not know that I did.

3253. Will you swear you did not?—Yes, Mr. Mills never promised me anything.

3254. Did you tell Robert Wright Mr. Mills would not promise anything?—I do not know I did tell Robert Wright that.

3255. Will you swear you did not?—I do not know that ever he asked me.

3256. Did you ask Mr. Mills for some more land?—Never.

3257. Did you say to Mr. Smith-Leing, in Mr. Mills' presence, that you wanted more land?—Never.

3258. Did Mr. Mills say he had nothing to say to you, and go away and leave you?—I never asked Mr. Mills.

3259. Did Mr. Mills say he had nothing to do with you?—No, Mr. Mills never said anything about it; I never named such a thing about land to Mr. Mills.

3260. Did Mr. Mills say he had nothing to say to you?—The last words he said to me were——

3261. Did he say so?—The last words he said——

3262. Will you swear he did not say so?—No.

3263. Will you swear he did not?—I never heard him say so.

3264. You cannot swear he did not?—I never heard him.

3265. Do you know a man called John Brown?—Yes, very well.

3266. Did you send him down to Mr. Fowle to say you wanted to see Mr. Fowle?—Never.

3267. You live at Brompton?—Yes.

3268. When Mr. Mills was canvassing Brompton, did you tell John Brown you wanted to see Mr. Fowle?—No.

3269. Will you swear to that?—Yes.

3270. Did Mr. Fowle distinctly tell you that he could make no promises; did he say that when Brown was present; "Brown is here, so take care;" did Mr. Fowle tell you that, in Brown's presence, he could make no promises?—I never said a word about anything of the sort.

3271. Did Mr. Fowle say to you, in Brown's presence, that he could make you no promise whatever?—I do not remember anything of the sort.

3272. Will you swear he did not?—I do not remember.

3273. Will you swear Mr. Fowle did not say to you, in Brown's presence, when they were canvassing Brompton, that he could make you no promise?—Yes, I will; I do not remember that ever he said it.

3274. Will you swear that he did not?—I do not remember that he did.

3275. Will you swear he did not?—I cannot swear whether he did or not.

3276. He might have said so, then?—I do not remember.

3277. Was Mr. Fowle with Mr. Mills when he canvassed you?—Yes, sir, the first time.

3278. Mr. Fowle and Mr. Mills left the house and did you then send John Brown to tell Mr. Fowle you wanted to see him?—I never did; I never dreamt of such a thing.

3279. That you swear?—Yes.

3280. Did Mr. Fowle come back?—No.

3281. What?—No.

3282. Are you quite sure about that?—He never came back to our house.

3283. Did you see him again that day?—No.

3284. You can tell me whether he said in Brown's presence that he could not promise you anything?—Mr. Fowle never asked me anything in the house.

3285. Did Mr. Fowle say, in Brown's presence, he could not promise you anything whatever?—I cannot remember that he did or did not.

Re-examined by Mr. Serjeant *Ballantine.*

3286. When was the occasion when you went with Mr. Smith-Leing to Mr. Fowle's office?—It was about May; the 13th May; somewhere thereabouts.

3287. How came you to do so?—Mr Smith-Leing wanted me to take two fields which Mr. Raper and his son now has.

3288. What is that you say; speak louder?—Mr. Leing offered me two fields which Mr. Raper now has.

3289. What then; how came you to go to Mr. Fowle?—He wanted me to go to Mr. Fowle to take them.

3290. Did he tell you what you were to give for them, or anything of that kind?—No, sir; there was nothing named.

3291. It was on that occasion you went to Mr. Fowle?—Yes, to Mr. Fowle's office.

3292. Who has got those fields now?—The same party has them yet.

3293. Are they two holdings or one?—Grass and fields.

3294. Have two people got them?—Yes; they are father and son.

[The Witness withdrew.

I. Jobling.

ISABELLA JOBLING, sworn; Examined by Mr. Serjeant *Ballantine*.

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3295. ARE you the wife of Mark Jobling?—Yes.

3296. Do you know Mr. Fowle, of Northallerton?—Yes.

3297. Do you remember the last election for Northallerton?—Yes.

3298. Did you ever see Mr. Fowle in company with your husband a short time before that election?—No, sir.

3299. Did you ever hear any conversation between Mr. Fowle and your husband?—No.

3300. Not anywhere?—No.

3301. Did you ever see Mr. Fowle at your house?—Yes.

3302. When was that?—That was during the canvass.

3303. I dare say you can speak a little louder?—I will try, but I have a cold.

3304. It was during the canvassing, was it, that you saw Mr. Fowle at your husband's house?—Yes.

3305. Did you hear what he said to your husband?—I did not.

3306. Did you hear the conversation at all?—Not between Mr. Fowle and him.

3307. Between whom and your husband, then?—Mr. Leing.

3308. Mr. Smith-Leing?—Yes.

3309. What did you hear him say?—I just heard him say, "Come Mark, you will go with us."

3310. Who was there besides Mr. Smith-Leing?—I did not see; there was several gentlemen in the room.

3311. Was Mr. Mills there?—Yes.

3312. Can you tell whether Mr. Fowle was there?—Not in the room.

3313. But Mr. Mills was?—Yes.

3314. Mr. Smith-Leing said, "You will go with us"?—Yes.

3315. Was that all you heard; did you hear anything about a field?—No.

3316. Not at any time?—Not that day.

3317. But some other day?—Yes.

3318. I want to know what you heard about a field?—I heard my husband say that he had had some fields offered him.

3319. But did you hear anybody talking to him about it?—No, sir, not particular.

3320. Are you quite sure about that?—Yes.

3321. You merely heard what your husband told you?—Yes.

3322. Have you seen your husband in company with Mr. Fowle at any time?—No, sir.

Mr. *Price*.] I have nothing to ask you, Mrs. Jobling. You have had a pleasant journey to London, and I hope you will have the same back.

[The Witness withdrew.

WILLIAM HUGHBANK, sworn.

W. Hughbank.

Mr. *Price* objected to this witness being examined, on the ground that there were two of the same name in the list, and they were not distinguished.

Mr. Serjeant *Ballantine* was heard to make an application to number the witnesses, and at a future period, to call those who were excluded by the previous decision of the Committee.

Mr. *Price* was heard in opposition to this request, on the ground that it was an attempt by a side wind to get rid of the Committee's decision; and that if it was acceded to, it would be a very grave precedent.

Mr. Serjeant *Ballantine* was heard in reply.

The *Committee* called the attention of the learned serjeant again to the Liverpool case.

After some discussion,—

The *Chairman* said: The Committee would draw the attention of the learned counsel to the resolution as propounded on the last case, which was, "That the requirements of the 3d Preliminary Resolution, in the case of John Thompson, have not been sufficiently complied with, and that the case cannot now be entered into." They worded it in that way, because, as they read the Report of the Liverpool case, there must have been an amendment in that case. Therefore, they left it open as to whether they should give power to amend. They feel that they have the power to do so; at the same time they feel that the other side should not be damnified by the amendment. In the Liverpool case a period of two days was allowed for amending the list, and the Committee resolved that the case should not be gone into for 48 hours. Now, we feel disposed to follow the precedent of the Liverpool case, and to permit an amendment of the list in this matter, unless it was shown to us that injustice would be done by such a course; and we should also require that the case should not be gone into after a certain time.

Mr. Serjeant *Ballantine*.] Unless the other side agreed to it.

The *Chairman*.] Unless the other side agreed to it.

After some discussion,—

The *Chairman* stated, that the Committee wished the case of this witness to be postponed to the last.

Mr. Serjeant *Ballantine* asked whether this decision would apply also to the case of John Thompson.

The *Chairman* stated, that the learned serjeant had not made the application then.

RICHARD WILSON, sworn; Examined by Mr. *Day*.

R. Wilson.

3323. ARE you a voter at Northallerton?—I is a voter at Brompton.

3324. You live at Street House in Brompton?—Yes, I do.

3325. I believe you are a farmer at Street House?—Yes, I is.

3326. You are in a considerable way of business; you farm a good deal of land?—Yes.

3327. Do

3327. Do you remember any gentleman coming to see you on the Monday before; before the last election?

3228. Before the last election?—Yes.

3329. Who were they?—Where was I?

3330. Who came to see you?—Fowles.

3331. Who came with him?—Why, there was William Denning, and Smith, and Mr. Mills.

3332. Did Joseph Holt and Matthew Shaw come to see you?—Yes; but Mr. Fowles came before that to me.

3333. Tell us what took place when Mr. Fowles came. What did they say to you?—I said I would not give my vote.

3334. What did Fowles say to you?—I said nothing hardly, not to Mr. Fowles.

3335. Did the other gentleman who was with Mr. Fowles say anything to you?—With Mr. Fowles.

3336. Did either of those gentlemen with Mr. Fowles say anything to you?—Yes, they did.

3337. What did they say?—I cannot tell you exactly; I telled them I would not vote for Mills.

3338. Was it after that that Joseph Holt and Matthew Shaw came to see you?—Yes, it was, and I was putting my horse into the stable, and Joseph Shaw came to me.

3339. You mentioned Joseph Shaw; did he come with Matthew Shaw and Joseph Holt?—Yes.

3340. Was there anybody else?—There was Mr. Mills.

3341. Was this on the same day that Mr. Fowles had been with you?—No, it was Monday before the election.

3342. This gentleman said something to you?

Mr. *Price* objected to the question, on the ground that the list of persons who were said to have bribed voters, was altogether a misleading list.

Mr. Serjeant *Ballantine* was heard in support of the evidence being tendered, on the ground that the sitting Member was present.

Mr. *Price* was heard in reply, and called the attention of the Committee to the third resolution.

The *Chairman* stated that the Committee were of opinion that the question should not be put.

3343. Mr. Serjeant *Ballantine.*] Mr. Mills was present, was he?—Mr. Shaw spoke to me and Mr. Holt. *R. Wilson.* 26 April 1866.

3344. Did Mr. Mills say anything?—Mr. Mills was in the stable, and Mr. Shaw said ——

3345. You must not tell us what Mr. Shaw said. I ask you, did Mr. Mills say anything?—Mr. Mills said, "You must give me your vote," and I said, "I won't."

3346. You say that Mr. Mills said something?—Yes; Mr. Mills was in the stable all the time.

3347. What did Mr. Mills say?—He says, "Will you give me my vote," and I says, "No."

3348. Did Mr. Mills say that after Mr. Shaw had said anything to you?

Mr. *Price* objected to the question, on the ground that it was a leading one.

3349. Mr. Serjeant *Ballantine.*] Did Mr. Mills say that before or after Mr. Shaw had spoken?

Mr. *Price* objected to anything said by Mr. Shaw or Mr. Holt, as not in any way showing that the offer of a bribe was made, because these names were not in the list.

Mr. Serjeant *Ballantine* was heard to contend that the sitting Member was present on the occasion, and that on that ground the evidence might be received.

Mr. *Price* was heard in reply.

The *Chairman* stated that the Committee could not receive any evidence of what was said by Mr. Holt or Mr. Shaw in this case.

3350. Mr. Serjeant *Ballantine.*] Did anything take place, however, between you and Mr. Mills; you must not mention Mr. Shaw or Mr. Holt. What did Mr. Mills say?—He said nothing further; but would I be so good as give him my vote, and I said "No."

3351. Was that all Mills said?—He said nothing more.

3352. Did Mr. Fowle say anything?—Mr. Fowle was not there that day; Mr. Fowle come to me at Northallerton election.

3353. How long before the election?—(*No answer*).

[The Witness withdrew.

MATTHEW HEIRD, sworn; Examined by Mr. Serjeant *Ballantine.*

3354. ARE you a labourer?—Yes. *M. Heird.*

3355. And a voter for Northallerton?—Yes.

3356. You live at Brompton?—Yes.

3357. Have you been in the employ of Mr. Henry Smith?—Yes.

3358. How many years?—About three years there.

3359. You have been, I believe, with his father before him for many years?—Yes, sir.

3360. What wages did you get?—Seven shillings and sixpence a week.

3361. Do you remember the election when Mr. Wrightson stood?—Yes.

3362. Did you see Mr. Mills, Mr. Smith, and Mr. Fowle together, about that time?—Yes.

3363. Did they make any application to you?—Yes.

3364. What was it?—They wanted me to give my vote.

3365. For whom?—For Mr. Mills.

3366. You voted for Wrightson?—Yes.

3367. Mr. Wrightson retired, did he?—Yes.

3368. Then it was Mills and Johns?—Yes.

3369. What did these gentlemen say to you; that they would do anything for you if you voted for Wrightson; what did they say?—He said he would give me half-a-crown more wage; he would give me 10 *s.* a week if I would vote for Mr. Mills.

3370. What did they say; who said that?—Master.

3371. Mr. Smith?—Yes.

3372. In the presence of Mr. Mills and Mr. Fowle?—No, not then.

3373. In the presence of anybody?—No, I was in the field, mowing, when he came to me.

3374. You have received 7 *s.* 6 *d.* a week, have you not?—Yes.

3375. What did Mr. Smith say to you then?—He said he would rise me half-a-crown a week if I would vote for Mr. Mills.

3376. Give you what?—Half-a-crown a week more.

3377. That is Henry Smith, your master?—Yes.

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3378. What did you say to that?—I said I could not give him an answer; I said I did not know.

3379. Do you recollect the Tuesday before the nomination day?—Yes.

3380. Did Mr. Smith speak to you on that day?—Yes.

3381. What did he say to you?—Well, we had some talk; I telled him I would not vote for Mr. Mills.

3382. You said so?—Yes.

3383. Did he ask you to vote for him; what did he say to you?—He said he would give me half-a-crown a week more.

3384. I am speaking of the day before the nomination day; did he say anything to you then?—I am sure I do not know what he said; I told him then I would not vote for Mr. Mills, but for Mr. Johns.

3385. What did he say then, when you told him that?—Well, he said something about my work, but I cannot tell you what; and I left him.

3386. Did you see him again?—No, I never seed him again.

3387. Which way did you vote?—I voted for Mr. Johns.

3388. Did you remain in the service of Mr. Smith?—Well, after I came back home, he came over to me at my house.

3389. And took you back again; had you left him then?—I was away two or three days, and then I went back again.

Cross-examined by Mr. *Price*.

3390. Johns' people came and took you away, and kept you?—I went to my daughter at Northallerton.

3391. Who came for you; some of Mr. Johns' people, didn't they; you live at Brompton, don't you?—Yes.

3392. Three or four days before the election they came and took you away?—Yes; and I left master's house and went home.

3393. They came and took you away two or three days before the election?—No, they didn't; they took me away from my own house.

3394. And took you to Northallerton?—Yes.

3395. Where did they keep you?—I stopped at a son-in-law's I had.

3396. Who took you?—My daughter came for me.

3397. In a carriage?—Yes.

3398. A fly?—Yes.

3399. Who paid for it?—I don't know who it was.

3400. Did your daughter pay for it?—I don't know who paid for it.

3401. You gave no notice to your master?—No.

3402. You were away from his work, how long?—About two or three days.

3403. Then he took you back again?—He came and said I was to go back.

3404. Did he know you had voted for Johns?—Yes.

3405. Has your master offered you an increase of wages lately?—More wage, sir.

3406. Yes; was there something about your losing your field if you voted for Mills?—Yes.

3407. Didn't you say so?—Yes.

3408. Didn't your master say, "Very well, if you lose your field by voting for Mills, you shall have half-a-crown a week to make up for it"?—Master said nothing about the field.

3409. Did you say so?—I said, "I should very like lose my ground."

3410. Then did he say he would give you half-a-crown a week more wages?—Master said nothing about the field.

3411. Did he say he should give you half-a-crown a week more?—Not then.

3412. Did your master tell you, you might vote just as you liked?—He did at first when he came to me.

3413. Did you ask your master if he could get you 20 *l.* for your vote?—No, never.

3414. Did you ask anything?—I never asked him.

3415. Did you get anything from the other side for voting?—No, I never got anything; I didn't want nothing.

3416. Did you get any land?—No, I got no land.

3417. You are sure of that?—I is sure I got no land.

3418. Did you get a promise of any land from the other side?—I don't know that I did.

3419. Did you, or did you not, get a promise of any land, if you would vote for Johns?—If I voted for Johns?

3420. Yes?—No, there was nobody promised me any land.

3421. Why are you so long in answering the question; did you get any promise of land?—No, sir, I did not.

3422. Did you get any land?—I got nothing but what I had earned.

3423. Did anybody make any promise to you before you voted?—No, sir, they did not.

3424. Do you swear that nobody promised you any land?—Nobody promised me land that I know of.

3425. You must know; did anybody promise you any land before you voted; do not keep looking there; tell me?—No, I do not know they promised me anything.

3426. Did they, or did they not?—They did not, not as I know of.

3427. Do you mean to say you do not know whether they promised it, or not?—There was nobody promised me land on Mr. Johns' side.

3428. Then you had no promises?—No.

3429. Do you know a man named Fishbourne?—Yes.

3430. Did Smith ask you in Fishbourne's presence, whether he had ever offered to raise your wages?—I do not know anything about that, I am sure; I never heard him ask anything about that, I am sure.

3431. Did you say that your master had made you no offer?—I could not say so.

3432. Did you tell a man named Brown that you had had an offer of land, if you would vote for Johns?—No, nobody offered me land.

3433. Did you tell Brown so?—No.

3434. Or anybody else?—No, I did not.

3435. Did Mr. Pattison come to you to ask you what you could prove; what you could say?—He never came to me.

3436. Do you know a man of the name of Pattison?—Yes.

3437. Did he ask you what evidence you could give?—I was down at his house.

3438. Did Pattison ever ask you about what you could say, about being bribed when you were called

called upon to speak, what did Pattison say to you?—I do not know what he said, I is sure.

3439. Did you tell your fellow servant at Mr. Smith's, that you told Pattison a great deal more than you could stand to?—No, I never said such a word to no man.

3440. Had Pattison asked you what you could prove?—Mr. Pattison never asked me anything that I know on.

Cross-examined by Mr. Serjeant *Ballantine*.

3441. You have said your master said you might vote as you liked; was that when Wrightson was in the field, when he was a candidate?—That morning Wrightson came, he came to me in the field.

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3442. It was after he offered to increase your wages half a crown, that he asked if you would vote for Mills?—A few days.

3443. Wrightson at that time had retired?—He said Mr. Wrightson was not coming no more, and he said there was a man, he did not know who he was.

[The Witness withdrew.

GEORGE BUTTERFIELD, sworn.

Mr. Serjeant *Ballantine* stated that he was not able to examine these witnesses, on account of the same omission as in previous cases on the part of those who had prepared the list, and that they had now exhausted the list of witnesses in attendance.

On this ground the learned Serjeant asked the Committee to adjourn until to-morrow morning, unless the counsel for the sitting member would consent to the examination of Hughbank.

G. Butterfield.

Before asking the decision of the Committee upon this, there was no witness he could call.

[The Witness withdrew.

WILLIAM HOLT, sworn; Examined by Mr. Serjeant *Ballantine*.

3444. ARE you an Auctioneer at Northallerton?—Yes.

3445. Do you recollect in the winter of 1864 or '65, that you were employed by Mr. Dennis, of Sutton, to conduct a sale of timber?—Yes, sir.

3446. Was Fowle, a solicitor, employed in connection with that sale?—Yes.

3447. The gentleman we have heard of, Fowle, the agent for the sitting Member?—Mr. Fowle was my employer.

3448. Mr. Fowle was really your employer?—Yes.

3449. What was your commission?—The best price we could get.

3450. What was your commission?—Do you want to know what I received?

3451. I want to know the whole story; what was your commission; what did it amount to?—I left it to Mr. Fowles.

3452. Did you make no charge to Mr. Fowles?—No.

3453. Did you not charge 20*l.*?—No.

3454. Was that the amount of your commission?—No.

3455. How much did he pay you?—Ten guineas.

3456. Did you make a complaint to him at the time?—Yes.

3457. What was the complaint?—That I ought to have the whole of it.

3458. What was the whole of it?—I do not know.

3459. Oh yes, you do; what was the whole of it? how much did you ask?—I did not ask any more.

3460. What was the whole?—I do not know; there were two of us employed.

3461. What did you mean when you said that you ought to have the rest of it?—I said if I could not get the whole, I would take the half.

3462. And then you received ten guineas?—Ten guineas.

3463. You remember the last election?—Yes.

3464. Were you canvassed by Fowles for your vote?—Never.

3465. Not at all?—No.

3466. Are you quite sure of that?—I am quite certain of that.

W. Holt.

3467. Were you canvassed to vote for Mills?—Mr. Mills asked me if I was going to vote for him.

3468. What did you say?—I did not say anything; I showed him the paper.

3469. What paper?—Blue and yellow mixed.

3470. You showed him that paper; what did you mean by that?—Blue, the inside.

3471. What did you say?—

Mr. *Price* said if this was to prove an act of bribery by the sitting Member, his name was not down on the list with respect to this witness. The two persons in the list were Thomas Fowle and William Fowle.

3472. Mr. Serjeant *Ballantine*.] Did either Thomas Fowle or William Fowle speak to you?—What about?

3473. Voting?—No.

3474. Neither of them?—No.

3475. Let me ask you, did Fowle at any time pay you the remainder?—What remainder?

3476. Which way did you vote?—I voted for Mills.

3477. Were you ever paid what you claimed for the remainder upon that sale?—Was I ever paid?

3478. Yes?—The remainder of what?

3479. Well the remainder; you know what I mean?—I got ten guineas for the sale.

3480. Did you get any more afterwards?—No.

3481. Were you never paid anything further upon that account?—No.

3482. Will you swear that?—Yes.

3483. By anyone?—No.

3484. Did you receive 10 guineas after the election from Fowle?—It was told me by Mr. Fowle that I was to have the sale, and he said, "You must have one to join you." "Very well," I says; "if I cannot take the whole of it, I must take the half."

3485. You did not receive another 10 guineas after the election?—No.

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3486. Or any sum whatever from Mr. Fowle? — No; from Fowle or anyone on his account.

3487. Or from anyone else?—No.

3488. Or before the election?—No.

3489. Did you receive nothing before the election?—What on?

3490. On account of the sale?—No, except from Mr. Fowle, one 10 guineas; one 10 guineas I received from Fowle.

3491. Had you any promise to pay the other 10 guineas?—No, sir; I wish I had it.

Cross-examined by Mr. *Price*.

3492. There were two auctioneers employed at this sale?—Yes.

3493. And the commission was divided between you?—Yes.

3494. And what you complained of was that you should have the whole commission, and not have it divided with anyone else?—Yes.

[The Witness withdrew.

After some discussion as to the expediency of adjournment,

The *Chairman* stated that the Committee were of opinion that they could not possibly adjourn now, except on the understanding that the case of the Petitioners was closed; and that the adjournment would be for the convenience of Counsels' summing up. They did not think it right to stop the case under any other circumstances.

Mr. Serjeant *Ballantine* said he was informed that there was one witness more whom he could examine.

THOMAS HOOD, sworn; Examined by Mr. Serjeant *Ballantine*.

T. Hood.

3495. WHAT are you?—An innkeeper.

3496. Where do you live?—At Northallerton.

3497. Are you a voter at Northallerton?—Yes.

3498. Do you remember the night of the nomination?—Yes.

3499. Where were you that evening?—Where was I, sir?

3500. Yes?—What night?

3501. The night of the nomination?—At Thirsk.

3502. Where?—Oh, I was at different places. I was both at Sowerby and Thirsk.

3503. Who took you?—I went with George Denning, Robert Gattenby, and Jackson.

3504. Did you see Mr. Mills or Mr. Fowle before you went to Thirsk?—I saw them on the hustings.

3505. Did you see them, before you went, on the hustings?—No.

3506. Did they canvass you?—Yes.

3507. Was anything promised you?—No.

3508. Was anything given you?—No, nothing.

3509. Who canvassed you besides?—Both Mr. Wrightson and Mr. Johns.

3510. I am speaking of the day before the election?—No; not the day before the election.

3511. How long before?—Well, I can't say exactly how many days before the election.

3512. Was anything promised you by anybody?—No, not by any person.

Cross-examined by Mr. *Price*.

3513. Did Mr. Johns promise you anything?—No, he didn't promise me anything; but he said, if I would give him my vote, he would settle with Mr. Benney, the landlord, for my rent.

3514. Was Captain Pearce present?—Yes; he was.

3515. Have you seen Captain Pearce about coming to London and giving evidence?—Well, yes; I have seen him.

3516. Did he say anything he would do for you if you gave evidence, if you came up to the mark?—I can't say exactly what he said, now.

3517. Tell us as near as you can recollect; did he say he would allow you to stay in the house if you would come here, and say you had been bribed?—Yes.

3518. Bribed by Mr. Mills?—Yes.

3519. Was it you or your wife who was let out at the back door?—No; I came out of the front door.

Re-examined by Mr. Serjeant *Ballantine*.

3520. You came back from Thirsk; did you get back to Northallerton in the morning?

Mr. *Price* objected to the question as not arising out of the cross-examination.

The question was waived.

3521. Who did you vote for?—Mr. Mills.

3522. Do you know Captain Johns?—Well, I never saw him before.

3523. Do you mean to say he ever spoke to you?—Yes, several times.

3524. I mean the gentleman seated there (*pointing*)?—Yes; I know Mr. Johns when I see him.

[The Witness withdrew.

Mr. Serjeant *Ballantine* asked for permission to examine Hughbank.

Mr. *Price* objected.

The *Chairman* stated that the Committee were of opinion that unless further witnesses were examined, the Petitioners' case must be considered as closed.

Mr. Serjeant *Ballantine* stated that if witnesses were called on the other side, he should not sum up now.

Mr. *Price* asked permission to consult for five minutes with his client.

Mr. Serjeant *Ballantine* objected to this on the ground that it was obligatory upon the counsel for the sitting Member to open the case, after the decision of the Committee with reference to the Petitioner's Counsel.

The *Chairman* stated that the Committee granted the request of Mr. Price.

Mr. *Price* then retired for a few minutes from the committee-room, and on returning, said that he submitted the Petitioners had made no case, and he should now ask Mr. Serjeant Ballantine to sum up, as he did not intend to call witnesses.

Mr. Serjeant *Ballantine* requested the Committee to adjourn, in order that he might prepare for summing up.

Mr. *Price* stated that in the absence of his

his learned leader, Mr. Rodwell, he had come to the conclusion not to call witnesses, under the impression that Mr. Serjeant Ballantine would then be compelled to sum up.

The *Chairman* stated that as the usual time for adjournment was so near at hand, it would be useless for the learned Serjeant to commence summing up, and the Committee were willing to adjourn on the understanding that the case for the Petitioners was closed, and that no witnesses would be called on behalf of the sitting Member.

Mr. *Price* stated that he had arrived at his decision under great pressure, and asked permission to be allowed to adopt another course, if he thought it necessary, after consultation with his learned leader.

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Mr. Serjeant *Ballantine* objected to this request being granted, on the ground that the decision of Mr. Price not to call witnesses had cast upon him (the learned Serjeant) the necessity of summing up; and it would not be fair to him that the course of procedure on behalf of the sitting Member should now be changed.

The *Chairman* stated that the Committee saw no reason to alter their decision, that the adjournment was consented to on the understanding that the case for the Petitioners was closed, and that no witnesses would be called on behalf of the sitting Member.

[Adjourned to To-morrow, at Eleven o'clock.

MINUTES OF EVIDENCE

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WITH THE

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I N D E X.

[*N.B.*—In this Index the *Figures* following the Names of the Witnesses refer to the Questions in the Evidence; and the Numerals following *Rep.* to the Paging of the Report.]

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Fowle, Thomas. Circumstance of witness having recently gone to Mr. Fowle's office, when Mr. Fowle told him that he was to say what was right before the Committee, *Holmes* 82–93.

Details with reference to Mr. Fowle having promised witness that if he would vote for Mr. Mills "he should go out rent-free," *Thomas Lightfoot*, 2205–2207——Evidence in confirmation of the statement that Mr. Fowle made an offer to Thomas Lightfoot in regard to his rent as an inducement to him to vote for Mr. Mills, *Jane Lightfoot*, 2305 *et seq.*; *Mary Lightfoot* 2424 *et seq.*; *James Lightfoot*, 2527–2535. 2594 *et seq.*

Loan of 50 *l.* due from witness to Mr. Fowle on a promissory note at the time of the election, *Carr* 2771–2780 ——Statement as to Mr. Fowle having promised to give up, six months after the election, the promissory note for 50 *l.* if witness would vote for Mr. Mills; cross-examination hereon, *ib.* 2801–2809. 2872–2882. 2996–3001——Details relative to a conversation about three weeks since between Mr. Fowle and witness, when the former said that witness was not to say anything to the Liberal party about the promise respecting the promissory note, *ib.* 2813–2832. 2911 *et seq.*——Cross-examination upon the subject of the recent conversation between Mr. Fowle and witness, *ib.* 2911 *et seq.*

Evidence in detail relative to an offer made by Mr. Fowle to let witness have a certain field at a low rent if he would vote for Mr. Mills, *James Archer* 3007 *et seq.*—— Statement in confirmation of the evidence of witness's husband as to the offer made by Mr. Fowle, *Elizabeth Archer* 3121 *et seq.*

Resolution of the Committee that it was proved that Mr. Fowle offered Thomas Lightfoot a valuable consideration to influence his vote, *Rep.* iii——Also that a similar offer was made in the case of James Archer, *ib.*

G.

"*Golden Lion*" *Hotel.* See *Committee and Committee-room* (*Mr. Mills.*) *Treating.*

H.

"*Harewood Arms*" *Inn.* There was no committee-room at the "Harewood Arms" during the election, *Ellen Johnson*——The "Harewood Arms" was not in any way engaged by Mr. Fowle in the interest of Mr. Mills at the last election, *Thomas Johnson*, 2026–2029.

See also *Treating.*

Heird, Matthew. (Analysis of his Evidence.)—Witness, who is a labourer in the employment of Mr. Henry Smith, was offered by the latter an increase of half-a-crown a week in his wages if he would vote for Mr. Mills, 3354–3386——Witness voted for Mr. Johns; cross-examination hereon, in which he denies having received from Mr. Johns, or his party, any previous promise in regard to land or anything else, 3387 *et seq.*

Heugh,

Evidence, 1866—*continued.*

Heugh, Abraham. Witness did not receive any money from Mr. Abraham Heugh for drink supplied to others at the "Golden Lion," *Martha Clay* 1156, 1157.

Hinstock, Joseph. (Analysis of his Evidence.)—Is waiter at the "Golden Lion," 1320–1322 ——With regard to the room at the "Golden Lion" used by Mr. Fowle, witness is not aware it was a committee-room, 1323–1353. 1559–1570 ——Various persons seen by witness in the room used by Mr. Fowle, 1354–1409——Drink was frequently taken by witness into Mr. Fowle's room, but it was on all occasions paid for at the time by the persons present; witness cannot, however, name any of those who paid, 1410–1452. 1526–1541. 1559–1563.

Care taken on the following day not to supply drink to any one who did not pay at the time, Mr. Clay, the landlord, having given instructions to that effect, 1453–1474. 1555–1558 ——Information relative to a breakfast and luncheon at the "Golden Lion" on the polling-day when several voters were present; each person paid for himself, 1475–1525. 1542–1554——Exceptional instance in the case of Benjamin Carr, of payment not having been made to witness; Carr slipped away without paying, 1488–1499. 1542–1554.

Holmes, Thomas (Currier). (Analysis of his Evidence.)—Particulars as to witness, who is not a voter, and several others, who are voters, having been supplied with drink at the "Golden Lion" and the "King's Arms" at the time of the election, without having been asked to pay, 203 *et seq.*

Holmes, Thomas (Waiter at "Golden Lion"). (Analysis of his Evidence.)—Information relative to several voters seen by witness at the "Golden Lion" at the time of the election, Mr. Mills' committee-room having been there; several of these who went into the committee-room, 34–81. 185–193——Circumstance of witness having recently gone to Mr. Fowle's office, when Mr. Fowle told him that he was to say what was right before the Committee, 82–93.

Details relative to the supply of drink to voters and others at the "Golden Lion" on the nomination night and polling-day, some of it having been supplied on the orders of Mr. William Cooper, Mr. Abraham Heugh, and Mr. Oliver, 94 *et seq.*——Use of a room at the "Golden Lion" by Mr. Fowle, which was called the committee-room, the drink taken to such room not being paid for at the time, 177–184. 194–199.

Holt, William. (Analysis of his Evidence.)—Explanation in connection with a commission of ten guineas received by witness from Mr. Thomas Fowle, for conducting a certain sale of timber, 3444–3462. 3475–3494——Witness was canvassed by Mr. Mills, but not by Mr. Fowle, and had no conversation or corrupt arrangement with the latter about his vote, 3463–3491.

Hood, Thomas. (Analysis of his Evidence.)—Witness voted for Mr. Mills, but denies having received any promise in respect of his vote, 3495–3512. 3521—— Mr. Johns canvassed witness, and offered to settle his rent with his landlord if he would vote for him (Mr. Johns), 3513, 3514. 3522–3524——Offer made to witness by Captain Pearce if he would state before the Committee that he had been bribed by Mr. Mills, 3515–3519.

Hughbank, William. Objection by counsel to this witness being examined, on the ground that there were two of the same name in the list, *p.* 64——Postponement of the case of this witness by the Committee, *ib.*

I.

Intimidation. Statement upon the question of Mr. Marshall having threatened to turn witness out of his farm if he did not vote for Mr. Mills; remark made by Mr. Fowle to this effect, *James Lightfoot* 2572. 2574. 2604–2614. 2687–2702. 2736–2742.

J.

Jobling, Mark. Canvass of witness on two occasions by Mr. Mills, in company with Mr. Smith Leing, *M. Jobling,* 3181–3186. 3206–3211——Frequent offer made to witness by Mr. Smith Leing of a house and land at a low rent if he would vote for Mr. Mills; witness's wife has heard this offer many a time, *ib.* 3187–3213——Witness did not get the land, and voted for Mr. Johns, *ib.* 3214, 3215.

Cross-examination with reference to some communication between witness and Mr. Fowle relative to some fields being let to witness; denial that witness went to Mr. Fowle with any reference to his vote, *M. Jobling,* 3219 *et seq.*

Witness did not hear any offer made to her husband by Mr. Smith Leing, or Mr. Fowle, with reference to his vote, *Isabella Jobling* 3295–3322.

Evidence, 1866—*continued.*

Johns, Mr. Circumstance of witness and a man named Hesthwaite having gone to Darlington in order to see witness's father about his vote, *Long* 1696–1710. 1794, 1795——Remark made by Mr. Johns, that whatever expense witness was at he should have it; this did not refer to witness's journey to Darlington, *ib.* 1711, 1712. 1785–1801——Promise held out to witness's husband by Mr. Metcalfe, in the presence of Mr. Johns, if he would vote for the latter, *Ellen Johnson* 2010–2017——Inducement held out to witness by Mr. Johns with reference to his vote, *Hood* 3513. 3522–3524.

Johnson, Ellen. (Analysis of her Evidence.)—Witness is landlady of the "Harewood Arms" at Northallerton. 1953, 1954——There was no committee-room at witness's house during the borough election, 1955. 1980——The only bill made out for witness by Richard Wood was one for several dinners in connection with the North Riding election, 1956–1975. 1993–1999——No books are kept at the "Harewood Arms," 1963–1973——Mr. Fowle never gave any orders during the election, nor has any bill been sent to him, 1976–1992.

Question as to the side or party with which witness came up to London; she has never been examined by Mr. Fowle, 2000–2009——Promise held out to witness's husband by Mr. Metcalfe, in the presence of Mr. Johns, if he would vote for the latter, 2010–2017——Supply of drink one evening before the election to several persons at the "Harewood "Arms," which was paid for a few days afterwards by Mr. Barnet, a supporter of Mr. Johns, 2018–2021.

Johnson, Thomas. (Analysis of his Evidence.)—Is landlord of the "Harewood Arms," 2024, 2025——The house was not in any way engaged by Mr. Fowle in the interest of Mr. Mills at the last election, 2026–2029——There may have been several voters at the house on the nomination and polling days, but witness does not know who they were, 2030–2039. 2101–2109.

A voter of the name of Stainthorpe, and a person of the name of George Gill, slept at the house on the night before the election, but witness does not know what room Stainthorpe slept in, and does not believe that he was locked up in the room at night, 2040–2100——Any drink supplied on the nomination day was paid for at the time, 2110–2114——Witness does not keep any books or accounts, 2115–2120.

L.

Leing, Smith. A person of the name of Smith Leing went with witness to the "Golden Lion" and was one of those who asked him to drink, *Long* 1605–1607. 1618–1620. 1635–1654——Frequent offer made to witness by Mr. Smith Leing of a house and land at a low rent if he would vote for Mr. Mills; witness's wife heard this offer many a time, *Mark Jobling* 3187–3213——Witness did not hear any offer made to her husband by Mr. Smith Leing in respect of his vote, *Isabella Jobling* 3295–3322.

Lightfoot, James. Details relative to a sum of about a pound paid by witness, by Mr. Fowle's request, some years ago in connection with the assessment of the land tax; circumstance of Mr. Fowle not having repaid witness till shortly before the election, and having previously asked him for his vote for Mr. Mills, *J. Lightfoot* 2536–2571. 2633–2669. 2747–2761——Statement upon the question of Mr. Marshall having threatened to turn witness out of his farm if he did not vote for Mr. Mills; remark made by Mr. Fowle to this effect, *ib.* 2572. 2574. 2604–2614. 2687–2702. 2736–2742——Pressure put upon witness by Mr. Fowle at the "Golden Lion" on the nomination day to promise his vote for Mills, *ib.* 2575–2593. 2703–2719——Denial by witness that he ever said he was promised anything for his vote for Mr. Johns, or that he ever received or was promised anything, *ib.* 2720–2735. 2746.

Lightfoot, Thomas. Witness voted for Mr. Mills, *T. Lightfoot* 2201–2204——Before the election Mr. Fowle asked witness for his vote, and said that if he would vote for Mr. Mills he should "go out rent-free," *ib.* 2205–2207——Since the election witness has not paid any rent except for Lady-day 1865, *ib.* 2208, 2209. 2255–2269. 2297–2304——A daughter-in-law of witness was present when Mr. Fowle made the promise about the rent, *ib.* 2210–2213.

Cross-examination upon the foregoing statement, witness denying that he was made any promise on the side of Mr. Johns, or that he had any conversation with Mr. Fowle about being allowed for the winter hay, *T. Lightfoot* 2214 *et seq.*

Witness, who is daughter-in-law of Thomas Lightfoot, confirms generally his statement as to the offer made by Mr. Fowle if he would vote for Mr. Mills, *Jane Lightfoot* 2305 *et seq.*——Mr. Fowle promised that witness's father-in-law should live rent-free for two half years, *ib.* 2313. 2331–2333. 2337——Cross-examination upon the question of something having been said about Mr. Fowle allowing the winter hay or winter meat as usual, *ib.* 2334 *et seq.*——Since witness heard the promise made by Mr. Fowle she has never spoken about it, nor has she made any statement to the agents for the petition, *ib.* 2382–2421.

Evidence, 1866—*continued.*

Lightfoot, Thomas—continued.

Particulars relative to some conversations between Mr. Fowle jun., Mr. Thomas Fowle, and witness (who is daughter of Thomas Lightfoot), with reference to the vote of her father, and the question of the rent to be paid by him, *Mary Lightfoot* 2424 *et seq.* ——Circumstances under which witness's father, who is advanced in years, went in a carriage to his son's house on the night before the election, with a view to voting the next day, *ib.* 2463–2483——Statement to the effect that witness's father was not promised anything on the side of Mr. Johns, *ib.* 2494–2514——Remark by Mr. Fowle, sen., to witness, about a fortnight before the election, that "her father and his vote might go to the devil," *ib.* 2515–2522.

Witness, who is son of Thomas Lightfoot, was present on the occasion when Mr. Thomas Fowle said the latter should have two half year's rent if he would vote for Mr. Mills, *James Lightfoot* 2527–2535——Information with reference to witness's father having come to witness's house on the night before the polling, *ib.* 2594–2603. 2670–2686 ——Denial by witness of the statement that he was not present during the interview when Mr. Fowle made the promise to his father, *ib.* 2615–2632——Before the promise by Mr. Fowle witness's father said he should vote for Mr. Johns, *ib.* 2743–2745.

Conclusion of the Committee as to its having been proved that Mr. Fowle offered Thomas Lightfoot a valuable consideration to influence his vote, *Rep.* iii. vii.

Long, William. (Analysis of his Evidence.)—Statement as to witness and other voters having had some drink at the "Golden Lion" a short time before the election, for which none of them were asked to pay, 1583–1634. 1762–1768——A person of the name of Smith Leing went with witness to the "Golden Lion," and was one of those who asked him to drink, 1605–1607. 1618–1620. 1635–1654——Conversation between Mr. Fowle and witness at the "Golden Lion"; witness did not however promise Mr. Fowle that he would vote for Mr. Mills, nor had he promised Mr. Mills, 1623–1625. 1659–1667.

Eventually witness voted for Mr. Johns, having been canvassed for him by Mr. Wilford and Mr. Todd; he does not recollect being canvassed by Captain Pearce, 1668–1681. 1713–1715——Admission as to witness having made a statement to Mr. Fowle in which he said that Mr. Wilford had told him to tell his father that he could afford a good price for his house if he would vote on the Liberal side, 1682–1695. 1769–1782——Circumstance of witness and a man named Hesthwaite having gone to Darlington in order to see witness's father about his vote, 1696–1710. 1794, 1795.

Remark made by Mr. Johns that whatever expense witness was at he should have it; this did not refer to witness's journey to Darlington, 1711, 1712. 1785–1801——Promise by Mr. Wilford that if witness lost his situation through voting for the Liberals he should come to no harm, 1715——Conversation at Stockton between a man named Dunn and witness's father, with reference to the vote of the latter in connection with a sum of 26 *l.* due by him for rent, 1716–1727. 1783, 1784.

Dispute between witness and his father as to the side on which witness should vote, he preferring to vote for the Liberals, because if he wanted a situation they would do better for him, 1728–1750——With regard to some land offered to witness, as tenant, by Mr. Wilford, this had no reference to the election, 1759–1761. 1809–1811——Witness never received any money for his vote, and was not unduly influenced in any way, 1804–1811.

M.

Martin, Susannah. (Analysis of her Evidence.)—Witness, who was employed at the "Harewood Arms" on the nomination day, states that a room was got ready there for some voters on that night, 1890–1902——A man named Snowdon Stainthorpe was taken to this room drunk and passed the night there, 1903–1908——Both on the nomination and polling days witness received payment from voters who had drink at the "Harewood Arms," whilst some drink not paid for was entered in a book by the landlady, 1909–1940.

Metcalfe, Maria. (Analysis of her Evidence.)—Was barmaid at the "Golden Lion" at the time of the election; is still there, 475, 476——Some time after the election witness wrote out a bill "for use of rooms" during the election, the amount being 72 *l.* 9 *s.*, 478, 479 ——Also a bill "for posting, 130 *l.* 7 *s.* 6 *d.*," *ib.*——Also a bill "for post boy, ostler, and expenses, 21 *l.*," *ib.*

Statement to the effect that the figures for the foregoing bills were supplied to witness by Mr. Clay the landlord, and that the items were not previously entered in any book but only on some loose foolscap paper, 480 *et seq.*——Examination in regard to the books kept at the hotel at the time of the election, 491–511. 584 *et seq.*——Explanation as to the term "use of rooms" really meaning the charge for Mr. Fowle's private room during the election, and for whatever food and drink were supplied in such room, 515 *et seq.*

Evidence, 1866—*continued.*

Metcalfe, Maria. (Analysis of her Evidence)—*continued.*

Circumstance of the paper, on which the charges against Mr. Fowle had been entered, having been destroyed by Mr. Clay when the bill was paid by Mr. Fowle, 528–545. 581–583. 740–744——No bill for liquor has been made out to any one but Mr. Fowle, except Mr. Mills private bill, 546–552. 686–706——Charge of three guineas a day made for the room used by Mr. Fowle, 557–569. 713–719——With regard to the account for posting, the amount was supplied to witness by the ostler, 632–642. 745–752——Except what went into Mr. Fowle's room all the drink supplied by witness from the bar was paid for at the time, 643–677.

Mills, Charles Henry. Resolution of the Committee that Mr. Mills is not duly elected, *Rep.* iii. vii——Also, that Mr. Mills was by his agents guilty of bribery, *ib.*——Also, that it was not proved to the Committee that such bribery was committed with the knowledge and consent of Mr. Mills, *ib.*

O.

Oliver, William. Except for what he ordered at the time, Mr. Oliver has not paid for any drink supplied at the "Golden Lion" at the time of the election, *Maria Metcalfe* 690–699——Witness did not receive any money from Mr. William Oliver for drink supplied to others at the "Golden Lion" *Martha Clay* 1158, 1159.

P.

Pearce, Captain. Inducement held out to witness by Captain Pearce to state before the Committee that he had been bribed by Mr. Mills, *Hood* 3515–3519.

Posting. Witness, as barmaid at the "Golden Lion," wrote out a bill "for posting," amounting to 130 *l.* 7 *s.* 6 *d.*, *Maria Metcalfe* 478, 479——Also a bill amounting to 21 *l.* for post boys, ostler, and expenses, *ib.*——With regard to the account for posting, the amount was supplied to witness by the ostler, *ib.* 632–642. 745–752——Remarks relative to the amount of the bill for posting, *J. Clay* 856–862. 999–1041.

R.

Robinson, John William. (Analysis of his Evidence.)—Statement in regard to witness having dined at the "Golden Lion," at the time of the election, and as to what passed on his calling for his bill; he did, however, ultimately pay, 1296–1319.

S.

Scrutiny. Statement by counsel for the petitioner that it was not his intention to proceed with a scrutiny, *Rep.* viii.

Smith, Henry. Information relative to an offer by Mr. Henry Smith, at the time of the election, to increase the wages of witness, if he would vote for Mr. Mills, *Heird* 3354–3386.

Stainthorpe, Snowdon. Witness, who was employed at the "Harewood Arms," on the nomination day, states that a room was got ready there for some voters on that night, *Martin* 1890–1902——A man named Snowdon Stainthorpe was taken to this room, drunk, and passed the night there, *ib.* 1903–1908——A voter of the name of Stainthorpe, and a person of the name of George Gill, slept at the "Harewood Arms" on the night before the election, but witness does not know what room Stainthorpe slept in, and does not believe that he was locked up in the room at night, *Johnson* 2040–2100.

T.

Thompson, John. Objection by counsel for sitting Member to the witness John Thompson being examined, on the ground that there were two voters of the name of John Thompson on the register, *p.* 58——Decision by the Committee that the case of Thompson cannot be entered into, *ib.*

Thornton, John. (Analysis of his Evidence.)—At the time of the election witness was employed as an assistant at the "Golden Lion," 1812–1815——Services rendered by witness as attendant at the door of a room in the "Golden Lion," where Mr. Fowle used to be, 1817–1825. 1847—— Mention of several persons seen by witness in the room frequented by Mr. Fowle, 1826–1846.

Services

Evidence, 1866—*continued.*

Thornton, John. (Analysis of his Evidence)—*continued.*

Services of witness as assistant waiter, on which occasions he always took the money for the drink supplied, 1853–1867——Witness does not recollect having seen James Lightfoot in Mr. Fowle's room, or in the "Golden Lion" at all, at the time of the election, 1868–1881——A person named George Denning was at the "Golden Lion" during the election, and paid for some drink which he had there, 1882–1884. 1888, 1889.

TREATING:

Details relative to the supply of drink to voters and others at the "Golden Lion," on the nomination night and polling day, some of it having been supplied on the orders of Mr. William Cooper, Mr. Abraham Haigh, and Mr. Oliver, *T. Holmes* (*Waiter*) 94 *et seq.* ——Particulars as to witness, who is not a voter, and several others, who are voters, having been supplied with drink at the "Golden Lion" and at the "King's Arms," at the time of the election, without having been asked to pay, *T. Holmes* (*Currier*) 203 *et seq.*

Witness assisted as waiter at the "Golden Lion" for three days at the time of the election, and helped to serve drink when ordered, *Wetherall* 312–319 ——Several voters among the number who frequented the house at the time of the election, and had drink there, *ib.* 335–356——Examination to the effect that witness was not paid for all the drink for which he took orders, but that he advanced the money to some who paid him again, and that in some cases of non-payment he gave in the names at the bar, *ib.* 357 *et seq.*——Witness cannot recollect any of the names which he gave in at the bar, who ordered drink but did not pay for it, *ib.* 399–431——It was chiefly on the polling day that voters had drink without paying for it themselves; this was after they had polled, *ib.* 412–419. 437–442—— Circumstance of witness having more than once taken back to the bar drink which had been ordered on the nomination day, because the parties would not pay for it, *ib.* 443–452—— Instructions received by witness from Mr. Fowle and from Mr. Clay, the landlord, on the polling day, not to supply drink to those who had voted, unless it were paid for, *ib.* 453–466.

Some time after the election, witness, as barmaid at the "Golden Lion," wrote out a bill "For use of rooms" during the election, the amount being 72 *l.* 9 *s.*, *Maria Metcalfe* 478, 479—— Statement that the figures for the foregoing bills were snpplied to witness by Mr. Clay, the landlord, and that the items were not previously entered in any book, but only on some loose foolscap paper, *ib.* 480 *et seq.*——Examination in regard to the books kept at the hotel at the time of the election, *ib.* 491–511. 584 *et seq.*

Explanation as to the term "use of rooms" really meaning the charge for Mr. Fowle's private room during the election, and for whatever food and drink were supplied in such room, *Maria Metcalfe* 515 *et seq.*——Circumstance of the paper on which the charges against Mr. Fowle had been entered by Mr. Clay, having been destroyed by Mr. Clay, when the bill was paid by Mr. Fowle, *ib.* 528–545. 581–583. 740–744——No bill for liquor has been made out to anyone but Mr. Fowle, except Mr. Mills's private bill, *ib.* 546–552. 686–706——Except what went into Mr. Fowle's room, all the drink supplied by witness from the bar was paid for at the time, *ib.* 643–677.

Witness, who attends on a Speaker's warrant, has received a notice to produce the books kept at the "Golden Lion" (of which he is landlord), but states that he has no books relative to the election, *J. Clay* 759 *et seq.* 983–993——Examination upon the question of witness having had at the time of the election any books in which spirits, &c., not paid for at the time of the election were entered, *ib.* 774–816——Statement as to Mr. Fowle's account having been kept on some loose sheets of paper which were destroyed, *ib.* 817–828. 876–887——Examination with reference to the payment by Mr. Fowle for the use of the room occupied by him at the time of the election, and for the refreshments supplied in the room; doubt as to the precise charge made for the room, or the actual sum paid by Mr. Fowle, *ib.* 817–820. 829 *et seq.*

Witness cannot say how the barmaid who made out the bill "For the use of the rooms, 72 *l.* 9 *s.*" ascertained the amount to be charged; he did not tell her the amount, *J. Clay* 866–875. 888, 889. 939, 940——Explanation in regard to the keeping of books having been discontinued at the "Golden Lion;" question as to the precise time when this took place, *ib.* 890–930——Statement that it was arranged with Mr. Fowle that the charge for the use of his room should be so much a day, including refreshments, *ib.* 941–982. 984–998.

Except for Mr. Fowle himself, witness is not aware that any refreshments were sent to his room, *Martha Clay* 1061–1064——Detailed statement to the effect that the account against Mr. Fowle was kept on some loose sheets of paper which were destroyed when the account was paid, and that there were no books in which the items were entered, *ib.* 1065 *et seq.* 1207–1214——Instructions given by Mr. Fowle, that no one should be treated; these were carefully observed, *ib.* 1105. 1201–1206. 1215–1221—— Practice during the election, of not supplying any drink to persons at the "Golden Fleece" unless they paid for it, *ib.* 1126–1148——The bill for the use of the room and the posting bill

Evidence, 1866—*continued.*

TREATING—continued.

were the only bills sent in to Mr. Fowle, *Martha Clay* 1160–1165——Witness does not recollect the charge made for the room, and is not aware how the sum total of the account was arrived at, *ib.* 1168–1189. 1191–1200——Charge of 1*s.* a head made for luncheon, provided on the polling day, *ib.* 1201, 1202. 1217–1221.

After polling for Mr. Mills, witness had breakfast at the "Golden Lion;" and also had dinner there on the polling day, without being asked to pay; several others who breakfasted and dined at the same time, *Carr* 1276–1270. 1285–1291——Witness was invited to partake of the luncheon or dinner at the "Golden Lion" on the polling day, *ib.* 2833–2835.

Drink was frequently taken by witness into Mr. Fowle's room, but it was on all occasions paid for at the time by the persons present; witness cannot, however, name any of those who paid, *Hinstock* 1410–1452. 1526–1541. 1559–1563——Care taken on the polling day not to supply drink to any one who did not pay at the time, Mr. Clay, the landlord, having given instructions to that effect, *ib.* 1453–1474. 1555–1558——Information relative to a breakfast and luncheon at the "Golden Line" on the polling day, when several persons were present; each person paid for himself, *ib.* 1475–1525. 1542–1554——Exceptional instance, in the case of Benjamin Carr, of payment not having been made to witness; Carr slipped away without paying, *ib.* 1488–1499. 1542–1554.

Statement as to witness and other voters having had some drink at the "Golden Lion" a short time before the election, for which none of them were asked to pay, *Long* 1583–1634. 1762–1768.

Services of witness as assistant waiter at the "Golden Lion," on which occasions he always took the money for the drink supplied, *Thornton* 1853–1867.

Some days after the election witness was asked by the landlady of the "Harewood Arms," to make out a certain bill for her, and shortly afterwards was asked to make out a second bill, *Wood* 1941–1950.

Both on the nomination and polling days witness received payment from voters who had drink at the "Harewood Arms," whilst some drink not paid for was entered in a book by the landlady, *Martin* 1909–1940.

The only bill made out for witness by Richard Wood was one for several dinners connected with the North Riding election, *Ellen Johnson* 1956–1978. 1993–1999——No books are kept at the "Harewood Arms," *ib.* 1963–1973——Mr. Fowle never gave any orders during the election, nor has any bill been sent to him, *ib.* 1976–1992——Supply of drink one evening before the election to several persons at the "Harewood Arms," which was paid for a few days afterwards by Mr. Barnet, a supporter of Mr. Johns, *ib.* 2018–2021.

There may have been several voters at the "Harewood Arms" on the nomination and polling days, but witness does not know who they were, *Thos. Johnson* 2030–2039. 2101–2109——Any drink supplied on the nomination day was paid for at the time, *ib.* 2110–2114——Witness does not keep any books or accounts, *ib.* 2115–2120.

Several voters seen by witness at the "Oak Tree," where they were supplied with drink, without any one having been called upon to pay, *Brown* 2129–2147. 2173–2176——Supply of drink to witness on this occasion, he being a voter, and not having been asked to pay; explanation hereon, that witness was canvassed by Mr. Mills and Soppett, but voted for Mr. Johns, *ib.* 2148–2186. 2195–2200.

Non-appearance of further witnesses called on the part of the petition with reference to the question of treating, *p.* 42.

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TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

NORTHALLERTON ELECTION PETITION.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
1 *May* 1866.

223—I.

Under 2 *oz.*

REIGATE ELECTION.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

REIGATE ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
17 *April* 1866.

Wednesday, 11*th April* 1866.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Reigate:

Edward Akroyd, Esq.	Edward Bourchier Hartopp, Esq.
The Hon. Ralph Heneage Dutton.	John Peel, Esq. (Tamworth).

HENRY HUSSEY VIVIAN, Esq., Chairman.

Thursday, 12*th April* 1866.

Ordered, THAT the Petition relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Eleven of the Clock.

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REPORT.

REIGATE ELECTION PETITION.

Monday, 16*th April* 1866.

The House informed, that the Committee had determined,—

That Granville William Gresham Leveson Gower, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Reigate.

That the last Election for the said Borough is a void Election.

The House further informed, that the Committee had agreed to the following Resolutions:—

1. That Granville William Gresham Leveson Gower, esquire, was, by his agents, guilty of bribery and treating at the last Election:

2. That it has been proved to the Committee,

That George Charles Beale received a bribe from C. J. Smith, the authorised agent of the said Granville William Gresham Leveson Gower, with a promise of further payment on account of having voted for the said Granville William Gresham Leveson Gower:

That Josiah Ede was bribed by a promise of 5*l.* made to him by Alexander Rose to vote for the said Granville William Gresham Leveson Gower, and was subsequently paid 2*l.* by Frederick Joyce on account of having so voted:

That John Farringdon was bribed by a promise of 5*l.* made to him by Frederick Joyce to vote for the said Granville William Gresham Leveson Gower, and was subsequently paid 3*l.* by the said Frederick Joyce for having so voted:

That James Peters was bribed by a promise of 4*l.* made to him by Job Apted to vote for the said Granville William Gresham Leveson Gower, and was subsequently paid 2*l.* by the said Job Apted for having so voted:

That James Bonny was bribed by a promise of 5*l.* made to him by Alexander Rose to vote for the said Granville William Gresham Leveson Gower:

That James Hall was bribed by a promise of money made to him by Job Apted to vote for the said Granville William Gresham Leveson Gower, and received 30*s.* for having so voted:

That Alfred Latham was bribed by a promise of money made to him by Job Apted to vote for the said Granville William Gresham Leveson Gower, and was subsequently paid 3*l.* by C. J. Smith for having so voted.

3. That William Johnson and other Witnesses proved that a system of treating prevailed at the last Election.

4. That the said bribery and treating were practised without the knowledge and consent of the said Granville William Gresham Leveson Gower.

5. That corrupt practices have extensively prevailed at the last Election for the said Borough.

PROCEEDINGS OF THE COMMITTEE.

Friday, 13 *March* 1866.

NAMES of Members called over;—all present.

Room cleared.

The Committee agreed to the following Preliminary Resolutions:—

1. That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. That if costs be demanded by either party under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. That the Committee expect, that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member, or his agents, the Counsel for the Petitioners will now state the names of the Electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered to do so.

4. The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

5. That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have exercised it.

7. The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. That no person shall be examined as a witness who shall have been in the room during any of the proceedings (with the exception of the Sitting Member and the agents, whose names shall be handed in), without the special leave of the Committee.

9. That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. That the Committee will follow the practice of the courts of law with regard to speeches, as laid down in Section 18 of the Common Law Procedure Act, 1854.

12. That if the leading Counsel are not prepared to sum up the case on either side, the Committee will not protract the proceedings for the convenience of Counsel who may be absent.

Parties called in, and informed of the above Resolutions.

The Petition of *John Newman Harrison* and certain Electors was read.

Counsel for the Petitioners:—Mr. Serjeant *Ballantine*, Mr. *R. T. Biron*, and Mr. *John Werrett*.

Agent:—Mr. *Thomas Gilbert*.

Counsel for the Sitting Member:—Mr. *Karslake*, Q. C., Mr. *John Clerk*, and Mr. *H. James*.

Agents:—Messrs. *Fearon*, *Clabon*, and *Fearon*, Mr. *H. C. Smith*, and Mr. *Morrison*.

Mr. Serjeant *Ballantine* opened the case for the Petitioners.

The Short-hand writers were sworn by the Chairman.

Mr. *James Richard Naylor*, sworn; and produced the four poll books of the Reigate Election; examined by Mr. *Biron*.

Mr. *Charles James Greaves* made affirmation and produced statement of expenses at the last Election; examined by Mr. *Biron*.

Mr. *Karslake* objected that this witness was not the proper officer to produce them.

Mr. Serjeant *Ballantine* was heard against the objection.

Mr. *Karslake* was heard in reply.

The Committee decided that the witness might produce the documents.

Examination continued; cross examined by Mr. *Karslake*.

Mr. *John Bailey*, sworn; examined by Serjeant *Ballantine*.

Mr. *Thomas Cotton*, sworn; examined by Serjeant *Ballantine*.

Mr. *Karslake* objected, on the ground that this witness was called to contradict the last witness, who could not be considered a hostile witness.

Mr. Serjeant *Ballantine* was heard in support of his right to treat the last witness as a hostile witness.

Mr. *Karslake* was heard in reply.

Room cleared. The Committee deliberated.

Parties called in.

Mr. *John Bailey* further examined by the Chairman.

The Committee decided that *John Bailey* was not a hostile witness.

Mr. *Thomas Cotton*, further examined; cross-examined by Mr. *Karslake*.

Mr. *George Charles Beale*, sworn; examined by Serjeant *Ballantine*; cross-examined by Mr. *Karslake*; re-examined by Serjeant Ballantine.

Mr. *George Mitchell*, sworn; examined by Serjeant *Ballantine*; cross-examined by Mr. *Karslake*.

Mr. *Allen Edwards*, sworn; examined by Serjeant *Ballantine*; cross-examined by Mr. *Karslake*.

Mr. *Josiah Ede*, sworn; examined by Mr. *Biron*; cross-examined by Mr. *Karslake*; re-examined by Mr. *Biron*.

Mr. *John Farringdon*, sworn; examined by Serjeant *Ballantine*; cross-examined by Mr. *Karslake*; re-examined by Serjeant *Ballantine*.

Mr. *James Apps*, sworn; examined by Serjeant *Ballantine*; cross-examined by Mr. *Karslake*.

Mr. *James Peters*, sworn; examined by Serjeant *Ballantine*; cross-examined by Mr. *H. James*.

Mr. *James Bonny*, sworn; examined by Serjeant *Ballantine*; cross-examined by Mr. *H. James*; re-examined by Serjeant *Ballantine*.

Mr. *James Hall*, sworn; examined by Mr. *Biron*; cross-examined by Mr. *H. James*; re-examined by Serjeant *Ballantine*.

Mr. *George Jupp*, sworn; examined by Mr. *Biron*; cross-examined by Mr. *Karslake*.

[Adjourned to To-morrow, at Eleven o'clock.

Saturday, 14 *March* 1866.

Names of Members called over;—all present.

Mr. *Alfred Latham*, sworn; examined by Serjeant *Ballantine*; cross-examined by Mr. *Karslake*; re-examined by Mr. *Biron*.

Mr. *Alfred Balchaim*, sworn; examined by Mr. *Biron*; cross-examined by Mr. *Karslake*; re-examined by Mr. *Biron*.

Mr. William

Mr. *William Johnson*, sworn; examined by Mr. *Biron*; cross-examined by Mr. *Karslake*.

Mr. *Karslake* stated, that it was not the intention of the Sitting Member further to defend his seat, and called *Granville William Gresham Leveson Gower*, Esq. (the Sitting Member), sworn; examined by Mr. *Karslake*. Room cleared.

The Committee agreed to the following Resolutions:—

1. That Granville William Gresham Leveson Gower, Esq., was by his agents guilty of bribery and treating at the last Election.

2. That the said Granville William Gresham Leveson Gower is not duly elected a burgess to serve in this present Parliament.

3. That the last Election for the said Borough is a void Election.

4. That it has been proved to the Committee—

That George Charles Beale received a bribe from C. J. Smith, the authorised agent of the said Granville William Gresham Leveson Gower, with a promise of further payment, on account of having voted for the said Granville William Gresham Gower Leveson.

That Josiah Ede was bribed by a promise of 5 *l.*, made to him by Alexander Rose, to vote for the said Granville William Gresham Leveson Gower, and was subsequently paid 2*l.* by Frederick Joyce, on account of having so voted.

That John Farringdon was bribed by a promise of 5 *l.*, made to him by Frederick Joyce, to vote for the said Granville William Gresham Leveson Gower, and was subsequently paid 3 *l.* by the said Frederick Joyce, for having so voted.

That James Peters was bribed by a promise of 4 *l.*, made to him by Job Apted, to vote for the said Granville William Gresham Leveson Gower, and was subsequently paid 2 *l.* by the said Job Apted for having so voted.

That James Bonny was bribed by a promise of 5 *l.*, made to him by Alexander Rose, to vote for the said Granville William Gresham Leveson Gower.

That James Hall was bribed by a promise of 5 *l.*, made to him by Job Apted, to vote for the said Granville William Gresham Leveson Gower, and received 30 *s.* for having so voted.

That Alfred Latham was bribed by a promise of money, made to him by Job Apted, to vote for Granville William Gresham Leveson Gower, and was subsequently paid 3 *l.* by C. J. Smith for having so voted.

5. That William Johnson and other witnesses proved that a system of treating prevailed at the last Election.

6. That the said bribery and treating were practised without the knowledge and consent of the said Granville William Gresham Leveson Gower.

7. That corrupt pratices have extensively prevailed at the last Election.

Parties called in, and informed of the decision of the Committee.

Ordered, That the foregoing Resolutions be reported to the House.

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Friday, 13*th April* 1866.

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MINUTES OF EVIDENCE.

Friday, 13th April 1866.

MEMBERS PRESENT:

Mr. Edward Akroyd.	Hon. R. H. Dutton.
Mr. E. B. Hartopp.	Mr. John Peel.

HENRY HUSSEY VIVIAN, Esq., IN THE CHAIR.

Mr. JAMES RICHARD NAYLOR was called in; and, having been sworn, was Examined by Mr. *Biron*, as follows:

Mr. *J. R. Naylor.* 13 April 1866.

1. You are Clerk of the Crown Office?—Yes.
2. Do you produce the writ and the return of the election for the last election for the Borough of Reigate?—I do.
3. Have you them there?—Yes.
4. Is that the writ and the indenture?—Yes.
5. Have you also the poll-books relating to that election?—Yes; they are four in number.
6. Did you receive them from the returning officer, and do you now produce them?—Yes; I received them on the 13th of July.
7. The election, if you look at the return, was on July the 12th?—The indenture is dated the 12th of July.

[The Witness withdrew.

Mr. CLARE JAMES GRECE was called in; and, having been affirmed, was Examined by Mr. *Biron*, as follows:

C. J. Grece.

8. Were you the Deputy Returning Officer for the Borough of Reigate at the last election?—Not the Deputy Returning Officer. I was the Town Clerk, and I assisted the Returning Officer in that capacity.
9. Have you here the accounts of the election expenses, as furnished by the agent, for election expenses? Have you there some documents?—Yes.
10. Produce them.
11. By Mr. *Karslake.*] Who was the Returning Officer?—The Mayor, James Searle, Esq.
12. You are the Town Clerk, and assisted him?—Yes.
13. You assisted, I suppose, during the election?—I assisted the Mayor, no one else; neither of the candidates.
14. During the election?—Yes.

Mr. *Karslake* objected to any documents being produced by this Witness, on the ground that the Returning Officer was the proper person to produce them.

Mr. Serjeant *Ballantine* was heard in support of the question.

Mr. *Karslake* was heard in reply.

15. By the *Committee.*] You are the Town Clerk?—I am.
16. Is it not the custom, that the custody of the documents which would be in keeping of the Mayor should be in your office?—Yes. The Mayor does not keep any documents, I believe, any longer than is necessary for him to peruse them.
17. They are in your charge as Town Clerk?—He hands them over to me.
18. You act as his attorney, in fact?—Yes.

The *Chairman* (after consulting a short time with the Committee) said, the Committee were of opinion that the production of the documents by the Town Clerk, acting for the Returning Officer, was sufficient.

19. Mr. *Biron.*] Now do you produce certain documents?—Which do you wish?
20. First the account of election expenses as delivered by Mr. C. J. Smith.

Mr. *Karslake* objected to the question.

21. Mr. *Biron.*] Do you know that signature?—That is Mr. Smith's signature.
22. Mr. *Biron.*] This is headed "Reigate Election, 1865," and is entitled "Statement of Account of Expenses incurred by W. G. B. Leveson Gower, Esq., at the Election of Member for the Borough of Reigate in Parliament;" and on the first page there is a summary of the whole expenses. It is hardly necessary to give the amount, 1,356 *l.* 19 *s.* 1 *d.*; and it is signed at the bottom of the summary "Charles James Smith, Election Agent for W. G. B. Leveson Gower, Esq., M.P., 12th September 1865." Then there is something further, which is headed, "Particulars of Expenses incurred in the above Election;" and then it goes on setting out the items, and at the end making the same total as appears by the summary signed by the same Charles James Smith, Election Agent.

C. J. Grece.
13 April 1866.

23. You have there also some vouchers?—Yes; I have some vouchers.

24. Will you allow me to look at them?—Yes (*they were handed to the learned Counsel*).

25. These are headed "Reigate Election Accounts 1865. Vouchers. *Re* Gower, M.P." I propose to put them in also (*they were handed in to the Committee Clerk*).

Cross-examined by Mr. *Karslake.*

26. You say you were assisting the returning officer during the election; when did he deliver these documents to you?—He did not deliver them to me at all. They were delivered to me by Mr. Smith or his clerk. I believe it was his clerk.

27. When?—I think the 13th of September.

28. Will you undertake to say that they were not delivered to the Mayor himself?—Yes; they were delivered to me, and I took them to the Mayor, and he handed them back to me.

29. Who went with you to the Mayor?—I do not think anybody did.

30. Was it on the same day that you received them?—The evening of the same day, I think.

31. Were they delivered all in one packet at that time?—I believe they were in one packet.

[The Witness withdrew.

JOHN BAILEY was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

John Bailey.

32. ARE you a publican at Reigate?—I have not been paid for my day yet. I require to be paid before I give any evidence.

Mr. Serjeant *Ballantine* appealed to the Committee to determine whether the witness should answer the question.

The *Chairman* said the Committee were of opinion that the witness must answer the question.

33. Mr. Serjeant *Ballantine.*] You got your half sovereign with the warrant, did you not?—That was to pay my way up here; but I have not been paid for my day.

34. But you got that with your warrant?—Yes.

35. Is your name John Bailey?—Yes.

36. Are you a publican residing at Reigate?—No.

37. Are you a publican?—No.

38. Were you a publican?—I was a publican.

39. Were did you reside?—I resided at Reigate.

40. Were you a voter?—Yes.

41. For whom did you vote at the last election?—Mr. Leveson Gower.

42. Did you receive anything?—No.

43. Not anything whatever?—No.

44. Do you know a person of the name of Henry Baines?—Yes.

45. Did you receive 5*l.* from Baines?—No.

46. Did you receive anything from Baines?—Nothing at all.

47. Have you not said that you voted for Mr. Gower at the last Reigate election?

Mr. *Karslake* objected to the question, on the ground that he had not shown that this witness was a hostile witness.

Mr. Serjeant *Ballantine* was heard in answer to the objection.

Mr. *Karslake* was heard in reply.

The *Chairman* said the Committee were of opinion that the learned Serjeant should examine the witness as if it were in examination in chief, and not in cross-examination.

48. Mr. Serjeant *Ballantine.*] Did you make any statement to Mr. Gilbert and to Mr. Cotton?

Mr. *Karslake* again objected to the question.

The *Chairman* said the Committee must adhere to the former decision.

Mr. Serjeant *Ballantine* said before he proceeded with this witness he would call Thomas Cotton, and ask him what statement this witness made to him.

[The Witness withdrew.

THOMAS COTTON was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

T. Cotton.

49. Do you know John Bailey?—Yes.

50. Did he make any statement to you upon the subject of the late election?

Mr. *Karslake* objected to the question on the ground of its being irrelevant in its present form, and that evidence could only be given which was relevant to the issue before the Committee.

Mr. Serjeant *Ballantine* was heard in answer to the objection.

Mr. *Karslake* was heard in reply.

The committee-room was cleared.

After a short time the counsel and parties were called in, and the chairman said that the Committee desired to recall the witness John Bailey for the purpose of putting a few questions to him.

JOHN BAILEY, recalled.

John Bailey.

51. By the *Committee.*] The Committee wish to ask you whether you came to London with the witnesses of the sitting Member?—I came to London with Baines; Baines and I came up together.

52. Is Mr. Baines favourable to the sitting member or otherwise?—I am sure I do not know.

53. Were others present?—No.

54. Baines was the only person from Reigate with whom you came up to London?—There was one more in the same carriage, but I do not know his name.

55. One other Reigate person?—Yes.

56. There were no other Reigate people in the same carriage?—No; there were several more in the train.

57. Were there any others in the compartment with you?—No.

58. And after you left the train, did you come here

here with any Reigate people?—Oh yes, ever so many of them.

59. Were they favourable, or otherwise to the sitting member?—Some both ways.

60. Do you know if Baines is a voter?—He is a voter.

61. Did you meet Baines by appointment?—No. We live both in one house, so that we came up together.

62. Which way did Baines vote?—I do not know anything at all about it.

63. Though you live in the same house?—Yes.

64. Have you been in communication with the sitting member or any of his agents?—No.

65. At whose expense did you come to London? I do not know, I am sure, at whose expense. They sent me half a sovereign and a paper some time ago.

66. Who paid for your ticket?—I paid for that myself.

67. Did you receive the money from any one? No.

68. Now long have you been in London?—I got up here somewhere about a quarter past ten.

69. To-day?—To-day. We left Reigate about nine o'clock, a few minutes before nine.

70. Have you had any refreshment since you have been in London?—Yes, I got some myself.

71. Who paid for it?—I paid for it myself.

72. Then you came up in the interests of truth and justice?—That I did, nothing but the truth.

73. Mr. Serjeant *Ballantine.*] What train do you say you came up by? Did you not come up with Joyce and Apted?—I left Reigate at a quarter before nine. *John Bailey.* 13 April 1866.

74. Were Joyce and Apted in the train?—I believe they were. We all met together when we got out of the train.

75. You were not in the same carriage?—Not in the same compartment.

76. Had you any communication or conversation with them?—No.

77. Have you made any arrangement for remaining in London?—No. I am going home to-night; I have got a return ticket.

The *Chairman* consulted with the other members of the Committee for a short time, and said they were of opinion that the witness could not be dealt with as a hostile witness, and that the learned Serjeant, probably, would not desire to continue the examination of Thomas Cotton.

Mr. Serjeant *Ballantine* said he should not.

Mr. *Karslake* said he should have to ask some questions of Mr. Cotton by and by in cross-examination. He was one of the petitioners on the present occasion; and it would be wholly immaterial to him whether he did it now or by and by.

Mr. Serjeant *Ballantine* said that he had not any other question to put to this witness at present; but it would be open to him to do so, if he wished to prove other circumstances, before the conclusion of the case.

THOMAS COTTON, recalled; Cross-examined by Mr *Karslake.*

78. ARE you one of the petitioners in this case?—Yes. *T. Cotton.*

79. By the *Committee.*] What are you?—A labourer.

80. Mr. *Karslake.*] Whom do you work for?—For several, when I had work; but I have not worked for this year and a half. I have been ill.

81. Where were you before that?—I was with Messrs. Witherby, Mr. Ravenscroft, and several others.

82. What do you call yourself?—A jobbing gardener or labourer.

83. What wages did you get in jobbing about in that way before the year and a half that you spoke of?—About 18 *s.* or a pound a week.

84. Have you had no wages at all for the last year?—I did a few odd jobs last summer.

85. What do you mean by odd jobs—signing a petition?—I knew nothing about that till the same day that I signed it.

86. Who brought you the petition?—I was applied to and came to London, and did it.

87. Who sent for you?—Mr. Gilbert, the agent.

88. Whom did you come up with—was it Apted? Did you and he come up together?—I do not know.

89. You saw him up there?—He was there that morning.

90. He is another petitioner?—Yes, and Mr. Harrison.

91. How long have you lived in Reigate?—Seven years.

92. Have you lived there all the time?—Yes.

93. Have you been away for any purpose?—No.

94. Not any part of the time?—Yes, I went away when I was married.

95. I am not talking about your being married; but in 1855 were you away for some time on a charge made against you?—Yes.

96. Were you in prison?—Yes.

97. For how long?—Four years.

98. Penal servitude?—Yes.

99. For stealing fowls?—I did not steal them; they charged me with it. They put them on my premises.

100. And you were unfortunate enough to be convicted, and had four years' penal servitude?—That is quite true.

101. When did you come out?—In 1859.

102. Have you lived at Reigate since?—Yes.

103. Doing nothing?—I was always at work when I was able.

104. For 18 months you have not been able?—Twelve months last February.

105. Who has been maintaining you for 12 months?—Myself.

106. What did you do?—I saved a little money, and my wife had a little money, and I have got a few friends.

107. Those friends wrote to you to come up to town to sign the petition;—Mr. Gilbert wrote for me, or Apted came to me; I do not know which it was exactly. It was all in a hurry; I did not know it till that morning.

108. Do you know why they picked you out?—was it on account of your principles, or what?—I do not know.

109. You have not the least notion?—I do not know—they never told me so.

T. Cotton.

13 April 1866.

110. You got a letter, and did you come?—Yes.

111. Who gave you the money for your expenses of coming up?—I paid it myself, and I have never had it.

112. How much were you to have for coming and putting your name to the document?—I suppose my travelling expenses. I never got anything else.

113. You have not got your travelling expenses?—I shall have them.

114. What is Apted?—A poulterer.

115. James Apted?—A poulterer and fishmonger.

116. I suppose you pay the expenses of the petition, do you? You do not know anything more than you were told to come, and you came up?—And I signed as one of the petitioners, and I believe there is a security given in some way; I do not know the nature of these things.

117. Did you read the petition through before you signed it?—I heard it read.

118. What did it say?—I do not know. I can assure you that I felt so little interested at the last election, I never went out, and I saw none of it the whole time. I was ill, and I never promised either, and I did not vote till the middle of the day, and I voted for Mr. Monson. I did not promise Mr. Monson or any one else. That is all I know about it.

[The Witness withdrew.

GEORGE CHARLES BEALE was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

G. C. Beale.

119. WHAT are you?—A carman.

120. Do you live at Reigate?—Yes.

121. You are a voter for the Borough?—Yes.

122. Whom did you vote for last time?—Mr. Gower.

123. Had you ever voted for him before?—No.

124. Had you ever voted before?—No.

125. This was the first time that you ever voted?—Yes.

126. You have not been on the list?—No, not before.

127. Had you known Mr. Gower before?—No more than seeing him when the election was on before.

128. Do you know a person of the name of Joyce?—I do, well; I went to school with him.

129. Do you remember meeting him walking with Mr. Gower?—Yes; on the Saturday.

130. When was the election?—On the Wednesday.

131. You met Mr. Gower walking with Joyce?—Yes.

132. Was Joyce very active in the election?—Not to me.

133. Did you see him canvassing?—Oh yes, a good many times during the election, because I was laid up, but I was well enough to walk about. I could see a good deal. I was just man enough to get about.

134. You saw Joyce canvassing?—Yes.

135. Do you know Job Heath Apted?—Yes.

136. Did he canvass?—I believe he did. He did not canvass me.

137. Did you see him canvassing?—I saw him about, the same as Joyce, with other people.

138. Did you see him about with Gower?—Sometimes I did.

139. And with Smith?—Yes.

140. Do you know Buckland?—Yes.

141. Did you see him about with Mr. Gower and Mr. Smith?—Yes.

142. Was he canvassing?—Yes.

143. Did you see Durrant; do you know him?—Yes, I know him.

144. What was he doing?—I suppose canvassing.

145. Was he a good deal about with Smith?—I never saw him much.

146. Did you see him with Mr. Gower?—I did not.

147. Did you see Henry Green with Mr. Gower?—No.

148. Did you see him canvassing?—No.

149. You say, the Saturday before the election, you met Mr. Gower walking with Joyce?—Yes.

150. Did Mr. Gower say anything to you?—Yes.

151. What did he say?—He shook hands with me, and asked me if I had parted with my vote.

152. What did you say?—I told him no; and he asked me if I would give it to him, and I told him I would as lief give it to him as I would to the other, if I had my duty done to me as it was done to the other men.

153. We do not understand what that means; what did you mean by that?—I understood that they were going to be paid, and I thought I might be paid as well as the rest.

154. What did Mr. Gower do?—He told me he heard that I was independent of my vote, and I told him that I was independent. I was not tied to any master; no more I was not.

155. What happened then? Did Mr. Gower say or do anything?—No, nor Joyce; they never spoke to me any more.

156. Did you notice him do anything?—No.

157. Nothing whatever?—No.

158. Mr. Gower did not look at Joyce?

Mr. *Karslake* objected to the question on the ground of its being a leading question.

158*. Mr. Serjeant *Ballantine.*] Tell me whether that is your signature (*handing a paper to the Witness*)?—Yes.

159. Do you know what you signed?—Yes.

160. I ask you whether Mr. Gower looked at Joyce, and did Joyce look at you?

Mr. *Karslake* again objected to the question, on the ground that this witness ought not to be treated as a hostile witness, urging the same arguments that he had used on the former objection.

Mr. Serjeant *Ballantine* was heard in answer to the objection.

Mr. *Karslake* was heard in reply.

161. By the *Committee.*] You have sworn to your signature. Do you know the contents of that paper?—No.

162. Before you signed it, was that paper read to you?—Oh yes, Mr. Gilbert read it to me.

163. You

163. You affirmed it as true?—Yes.

164. Do you now state that it is true?—Yes; as true as I told you before.

165. That the contents of that paper are substantially true?—Yes.

The *Chairman* said the Committee were not bound by the strict laws of evidence. It was a totally different tribunal from a purely legal tribunal. What they had to ascertain was whether this election had been properly conducted or otherwise; and under all the circumstances, seeing that the witness had admitted that he was ready to accept a bribe, the Committee thought that the question of the learned Serjeant was calculated to develope the merits of the case in such a way as would enable them best to fulfil their duty. Upon that ground they thought the question was a proper one.

166. Mr. Serjeant *Ballantine.*] Now you have told me that you said that you wanted first to know whether you were to have the same as the others; did Mr. Gower then look at Joyce, did Joyce look at you, and did you then say, "Well, I will vote for you, Mr. Gower." I ask you whether that is what passed?—It might be, but I promised Mr. Gower the last word.

167. What did you say to him; did you say, "Well, I will vote for you, Mr. Gower?—Yes.

168. How came you to say that you had already said that you must have the same as the others; what made you promise Mr. Gower to vote for him?—He asked me the second time if I would, and I told him that I would.

169. What made you say so; you told him you required the same as the others?—Yes.

170. How came you to promise him?—I did like many others, I promised him.

171. How did that happen; was it from anything that passed between Joyce and Mr. Gower? No, I never heard anything pass.

172. Did you see anything pass?—No.

173. Did you see Mr. Gower look at Joyce, and did Joyce look at you?—Yes, I think they did at last.

174. And after that you said you would vote for him?—Yes, I did.

175. On the morning of the polling did you see Mr. Ralph?—Yes.

176. By the *Committee.*] Did you understand from what passed between Mr. Gower and Mr. Joyce, that you would receive that which you intimated to them you expected for voting for Mr. Gower?—No, I did not.

177. You did not understand from what passed between them, that you would receive that which you expected?—No, I did not understand what it meant.

178. Mr. Serjeant *Ballantine.*] Did you understand anything by it?—No.

179. How came you to be so ready to promise?—I did not know whether they would give me anything or not.

180. You had an idea that they would?—I did not know, I had no idea about it, whether they would or not.

181. Do you remember the day of the polling?—Yes.

182. Did you apply to Ralph for your money?—Mr. Ralph was fetched out to me, out of the White Hart.

183. How came that?—Because I did not know who I was to look to for my recompense.

184. What recompense?—I thought I should get some, the same as the rest perhaps.

185. And you did not know who to look to?—No.

186. And so you sent for Mr. Ralph?—I did not send for him, he was fetched out by a person.

187. What person was it?—William Taylor.

188. What did you say to Ralph?—Ralph asked me what was the matter.

189. You had not voted at that time?—No.

190. Had you seen Mr. Ralph with Mr. Gower?—No.

191. Had you seen him with Mr. Smith?—No.

192. How came you to ask Mr. Ralph anything about it?—Because this man fetched Mr. Ralph out to me.

193. Did Mr. Ralph tell you whether he was an agent or not?—Yes.

194. What did he tell you?

Mr. *Karslake* objected to the question upon the ground that the statement of a third person, behind the back of the principal, that he was an agent, could not be taken as evidence of the fact.

Mr. Serjeant *Ballantine* admitted that the objection of Mr. *Karslake* was a valid one, and would not insist on putting the question.

195. Mr. Serjeant *Ballantine.*] You made an application to Mr. Ralph and Mr. Ralph made a communication to you?—Yes.

196. In consequence of that communication, did you go to Joyce, did you vote?—Yes.

197. Did you vote?—Yes.

198. And for Mr. Gower?—Yes.

199. And after what Mr. Ralph said to you?—Yes.

200. Did you apply to Mr. Joyce after the election?—Yes.

201. Were you referred to him by Mr. Smith?—Yes.

202. Mr. Gower's agent?

Mr. *Karslake* objected to the question.

The *Chairman* said, Mr. Smith was admitted to be an agent.

203. Mr. Serjeant *Ballantine.*] You know who I mean, Mr. Smith, the solicitor?—Yes.

204. Mr. J. C. Smith?—Yes.

205. He is pretty well known?—Yes, that is the gentleman (*pointing to him*).

206. Did you make an application to him?—Yes.

207. For what?—On Mr. Gower's election.

208. For what?—For some recompense.

209. For your independent vote?—Yes.

210. Did he give you anything?—Not then he did not, not that night.

211. When did he?—On the third day after, on the 21st December.

212. How much did he give you?—One sovereign, that was what Mr. Smith gave me.

213. Was that all you got?—Yes.

214. Did you try to get any more?—No.

215. When you saw Mr. Smith, did you ask him for your money?

Mr. *Karslake* objected to the question for the same reason that he had already objected to others, namely, that it was a leading question.

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Mr. Serjeant *Ballantine* was heard in answer to the objection.

Mr. *Karslake* was heard in reply.

The *Chairman* said the Committee did not consider the question could be treated as a leading question, looking to the character of the witness.

216. Mr. Serjeant *Ballantine.*] Did you go to Mr. Smith and ask him for your money?—Yes.

217. Did he say you must wait?—No.

218. Can you read?—No.

219. You say this statement was read over to you?—Yes.

220. I ask you again, did not Mr. Smith say you must wait?—No, he told me to come to his office the next day.

221. And it was then that he gave you the 1*l.*?—No, not that day, he was not there.

222. You went the next day, and did not find him?—I went the next day, the 21st of December.

223. Did you find him then?—Yes.

224. Then he gave you the 1*l.*?—Yes.

225. And did he say, that some day there would be a settlement?—He did; that was the last he said to me when I came out of the office.

226. That some day there would be a settlement?—Yes.

Cross-examined by Mr. *Karslake.*

227. That was on the 21st of December?—Yes.

228. You having voted on the 12th of July?—Yes.

229. What had you been doing in Reigate in the meantime; are you a carman?—Yes, a carman for a master builder, that goes with a horse for Mr. Henry Thornton.

230. And the 1*l.* was received on the 21st of December 1865?—That was.

231. Did you say to Mr. Smith when you went for it, that you had worked as hard as any of them?—No.

232. Do you mean to say that you did not say so?—I told Mr. Smith, during the time that I had been laid up, a little money would be very handy to me.

233. Had you been laid up for some time?—I had been laid up for eleven weeks, just at the election time; I was laid up for seven weeks before the election, and four weeks afterwards.

234. And you had, I suppose, been able to do little or nothing?—I did not do anything for 11 weeks.

235. You were unable to get your living during that time?—Yes.

236. Did you tell Mr. Smith so at the time you went to him?—I told him I had been laid up. I told him that my wife had lost a sister down in the country, and that she wanted to go and see her sister buried, and that a little money would be very handy.

237. Was that true?—Yes, that was true.

238. You did not go to him till the 21st of December at all?—I went to him on the 19th.

239. Did you tell him that on the first occasion that you went there?—No.

240. On the third occasion?—Yes.

241. When you got the sovereign?—Yes.

242. That was all you did get?—Yes, that was all I did get.

243. Let me ask you about Mr. Joyce; what is Mr. Joyce?—He is a tailor by trade.

244. Was it the first time you had seen Mr. Gower when you saw him the Saturday before the election?—I had seen him several times.

245. Moving about?—Yes.

246. It was the first time you had spoken to him?—Yes; he came to my house twice, but I did not see him.

247. Where did you see him; was it at your house on the third occasion?—No, in the street.

248. You met him by chance?—Yes, along with Mr. Joyce.

249. How long were they talking together?—Not five minutes.

250. I suppose they looked at one another frequently in the course of that time; did Mr. Joyce tell your name to Mr. Gower?—Yes.

251, He looked at him in order to ask him that?—I did not notice that.

252. Where was this Mr. Ralph you have spoken of, at the White Hart?—In the Market-place.

253. That was on the 12th of July?—Yes, the following morning.

Re-examined by Mr. Serjeant *Ballantine.*

254. You had many misfortunes which you communicated to Mr Smith; did you think that that sovereign was given you out of charity, or was it a part of your claim?

Mr. *Karslake* objected to the question, on the ground that what was passing in the mind of the witness ought not to be taken as evidence to bind the sitting Member, and it being impossible to contradict a witness who speaks to what he thinks.

Mr. Serjeant *Ballantine* was heard in support of the question.

Mr. *Karslake* was heard in reply.

The *Chairman* said the Committee did not think the question was a proper one; it was evidence of what was in the mind of the man when he asked for the money, because they had it from his own mouth; they had already had from the witness precisely what the learned Serjeant wished now to get from him.

George Mitchell was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:—

G. Mitchell.

255. You voted, I believe, for Mr. Gower?—Yes.

256. At the last election?—Yes.

257. And I believe you have made a little statement on the subject of what took place?—I have.

258. And signed it?—And signed it.

259. Did you see Mr. Gower during the canvas?—I saw Mr. Gower on several occasions.

260. Did he speak to you on any occasion?—I met him once in the town of Reigate, when he solicited me to vote for him.

261. What did you say?—It was just a passing remark.

262. What

262. What did you say?—I gave him no decisive answer.

263. Do you at all recollect what you did say?—I told him I had not made up my mind.

264. And you had not?—I had not; that was the very early part of his canvas, almost the first day, I think.

265. Do you know Green?—Henry Green?

266. Yes?—Yes, I do.

267. Do you knew Job Apted?—Yes.

268. Frederick Joyce?—Yes.

269. Rose?—Yes.

270. And Buckland?—Yes.

271. Now, had you seen them in conversation with Mr. Gower?—On several occasions when they were canvassing, and also at meetings.

272. Were they active, all of them?—Exceedingly so.

273. Do you know a person of the name of Latham?—I do.

274. I must not ask you any thing that took place between you and Latham, but did you and he come to some agreement?—We did.

275. Did you and Latham together mention that agreement to Job Apted?—I am not aware whether Apted was acquainted with our agreement, I rather think not.

276. Did you tell any of those persons I have mentioned what you and Latham had determined upon?—I believe not.

277. Did you go to Job Apted?—Yes.

278. Did you go with Latham?—Yes.

279. What did you say to him?—I asked him if he would like to have any more volunteers.

280. Mr. *Karslake.*] You asked whom?—Mr. Apted.

281. Mr. Serjeant *Ballantine.*] What did he say?—The more the merrier; he was very glad to receive us, and the more the merrier.

282. Was anything further said; volunteers for nothing, or volunteers for something?—Volunters for something, it was understood.

283. You must not tell us what was understood, but what was said?—He stated that there was a considerable sum of money to be divided amongst the electors; that there was 800 *l.* in addition to what was usually given, that was to have been reserved for the publicans.

284. Well, what then?—And that was to be divided among us equally.

285. By the *Committee.*] Amongst whom?—The electors generally.

286. Mr. Serjeant *Ballantine.*] Did you go with Mr. Job Apted to a beer house called Gower's beer house?—Yes, on several occasions.

287. Did you get anything there?—Oh, yes, whatever we required, and rather more than we required generally.

288. And sometimes more than you required?—Yes.

289. Perhaps more than was good for you, you mean?—Just so.

290. Who paid for it?—Apted.

291. On all occasions?—He either paid for them at the time, or agreed to pay; it was all supplied to him.

292. Were there other voters besides yourself present on these occasions?—Several.

293. And he either paid or promised to pay for them all?—Yes, he gave the orders.

294. After the election was over did you apply to Job Apted for your volunteer money?—I did.

295. Could you get it?—No, I could not.

296. And I believe you summoned him?—I did.

297. And then you could not get it?—Then I did not get it.

298. I do not know whether you have ever got it; have you ever got it?—I have not.

299. By the *Committee.*] When did you apply for your volunteer money?—On a great number of occasions shortly after the election.

300. How much was it?—It was no specified sum, we were all share-and-share alike.

301. Mr. Serjeant *Ballantine.*] You never succeeded in getting it?—Not a fraction.

302. May I take the liberty of asking you, had you ever voted for Mr. Gower before?—No, I did not, on the previous occasion.

303. Whom did you vote for before?—I voted for Mr. Wilkinson.

304. Had this money you were promised anything to do with your vote?—I should not have voted without.

305. There is one further question, do you remember at any time Mr. Latham showing you a paper?—Yes, I have a distinct recollection of it.

306. Was that a cheque?

Mr *Karslake* objected to the question, on the ground that a written document proved itself.

Mr. Serjeant *Ballantine* stated he would withdraw the question.

307. Mr. Serjeant *Ballantine.*] He showed you a paper?—Yes.

308. Was there anything written on it?—Yes.

309. Did you go with him anywhere after he had shown you that paper?—Yes.

310. To the bankers?—He went to the bank and got it cashed.

311. Mr. *Karslake.*] Did you go to the bankers with him?—He left me to go.

312. Mr. Serjeant *Ballantine.*] Did you see him go to the bank?—He left me to go, but I did not see him go.

313. Did you see him afterwards?—He was not absent from me five minutes.

314. Did he show you anything when he came back?—He did.

315. What?—Three sovereigns.

316. What bank was it?—The London and County I believe.

317. By the *Committee.*] Was that the time when you applied for the money?—Yes, that was one of the times.

318. Was it at the time you applied to Apted for the money that the money was got from the bank?—I had applied the day previous, and on the same morning Latham had applied also.

319. Mr. *Karslake.*] We cannot have what Latham did, were you present?—I was present when application was made.

320. By Latham?—By both of us; we both went to Mr. Smith and Mr. Apted on several occasions.

Cross-examined by Mr. *Karslake.*

321. You went to Mr. Smith and Apted on several occasions?—Yes.

322. And never got any money?—Not a fraction.

323. And after you had been to Smith and Apted on several occasions, did you bring an action against Job Apted in the county court?—I did.

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324. And did you tell the judge there that you could not prove any terms at all, and were you non-suited; did you lose the day?—Yes, because I had summoned the wrong man; he said I ought to have summoned Mr. Gower.

325. At all events you summoned Apted, who had stated all this to you, and the judge told you you were wrong?

Mr. Serjeant *Ballantine.*] He says the judge told him he ought to have summoned Mr. Gower.

Witness.] That is my answer.

326. Mr. *Karslake.*] What he told you was, that against Job Apted you had not proved any case, and you were non-suited?—The judge told me I had summoned the wrong man.

327. You said you wanted to charge Job Apted, with whom you said you had all this conversation, and the judge said you could not recover it against Job Apted?—Yes.

328. When was this you brought your action in the county court?—The summons was issued on the 18th of December.

329. 1865?—1865, and the case came on in January.

330. By the *Committee.*] There was no sum mentioned?—Not any specified sum at any time.

331. What did you sue for?—Five pounds.

332. Mr. *Karslake.*] Now I ask you whether you did not tell the judge that Apted had made no promise at all, and on that the judge non-suited you?—I did not say anything of the kind.

333. That Apted had made no promise at all?—I did not say he had not made any promise.

334. You said that he did?—Certainly I did.

335. And the judge non-suited you nevertheless?—Yes.

336. And have you left law proceedings alone since, till you came here to-day?—I have. I might inform you that I should not have taken out a summons at all if I had known there was to be a petition brought before the House.

337. What motive of delicacy had you about taking out the summons?—I had no motive of delicacy.

338. Why would you not have taken out the summons?—Because there would be a sufficient exposure of the transaction here without exposing them there.

339. It was from patriotic motives?—Yes.

340. What did it cost you?—Not quite 5*l.*

341. You had to pay Job Apted's costs as well as your own?—Yes; they were very moderate.

342. Have you been repaid them?—No, I have not.

343. Has anybody promised to repay them?—No.

344. Who told you to go to the county court?—No one.

345. When was it Job Apted as you say told you this about the 800*l.*, was to be taken from the publicans and paid over to you and others?—The day I engaged with him, or he with me.

346. What was the day?—On a Monday.

347. What period of the year was it?—It was either the first or the second Monday in the month of June.

348. That was when the conversation took place?—Yes.

349. Did you canvas after that yourself?—I did, to a certain extent.

350. You did all you could for the purpose of getting votes for Mr. Gower?—Yes, in one sense of the word, I did.

351. What sense is the one you use, did you go to your friends and say, will you vote for Mr. Gower?—No; doing the best we could in drinking their healths at the public houses, and so on.

352. What is the name of the public house you went to?—There are several.

353. What were the names; you said you went to one—Gower's beer house; I want to know the name of that?—I am not acquainted with the names. I can tell you the situations.

354. Tell me the name of the one you called Gower's beer house. Is the name of the landlord Gower?—It is Glover's beer house.

Mr. Serjeant *Ballantine.*] It was my mistake; I thought the sign was Gower.

355. Mr. *Karslake.*] It is one Samuel Glover?—I believe that is his name.

356. Did you go there on an evening, and in the day, and see other persons, to get them to vote for Mr. Gower?—I did not.

357. Did you not do anything at all?—Yes.

358. What did you do?—Drank ale and smoked a pipe.

359. When you drank ale and smoked a pipe, and you saw another man drinking ale and smoking a pipe, did you ask him to vote in the same way?—There was no necessity; they had all given their promise.

360. What month was this in, or when was it you went to Glover's house?—During the months of June and July—not every night—I did not go every night, only occasionally.

361. That is where you saw Job Apted?—Yes.

362. Was he always there?—Not always; on several occasions.

363. When he was not there, who paid for the beer that you drank?—I paid for a glass myself, and came away.

364. I suppose that often happened at Glover's public house, and at the others?—No; not very often.

365. Did you go to the public houses on most nights?—No; it did not suit my constitution, or I might have done.

366. You can only hold a certain quantity of beer?—A very moderate quantity.

367. Whereabouts was Glover's?—Close to the Old Market-place.

368. Near to your house?—No.

369. Were you in the habit of going to Glover's public house?—No; I was in the habit of passing it three or four times a day.

370. And were you in the habit of going in?—No.

371. I suppose you have since?—I was there yesterday.

372. What is Latham?—A bricklayer and plasterer.

373. When was it you say you had been with Latham to Apted?—The first or second Monday in June.

374. How long was it before the time you saw Latham with a written paper in his hand, that you and Latham had been together to Apted; had you been together?—Yes, on several occasions; I cannot recollect the dates precisely.

375. Had

375. Had you been with Latham on the day you saw a written paper in his hand?—Yes.

376. And did you see Apted?—No, not on that occasion; we went to Mr. Smith's house on the first occasion.

377. And did you see Mr. Smith?—Latham did, if I did not.

378. Did you go from Mr. Smith's to Job Apted?—I did, and Latham followed me.

379. Were you together?—Yes.

380. And did you see Job Apted?—I saw Apted.

381. You saw Apted on that occasion?—Yes, I saw him on that occasion, and on a great many other occasions.

Re-examined by Mr. Serjeant *Ballantine*.

382. You say you were at the public house last night?—Yesterday.

383. Do you find anybody to treat you now?—Oh dear, no.

384. When did the treating stop?—On the day of the polling.

385. You never got any benevolent or kind friend after that?—Not one. *G. Mitchell.* 13 April 1866.

386. Do you know what being non-suited is?—Yes, I think I do; I think I understand it.

387. Tell us what the Judge really said?—He told me that I had summoned the wrong man, and he dismissed it.

388. Did he say whom you ought to have summoned?—Yes.

389. Tell us whom did he say you ought to have summoned?—Mr. Gower.

390. Were there any other electors awaiting the result?—A great number.

391. About how many?—To the best of my recollection there were about 40.

392. Waiting to hear the result of your endeavour?—Yes.

393. I suppose that accounts for your patriotism?—Yes, there were about 40, as near as I can tell you.

394. About 40 other patriots?—Yes.

[The Witness withdrew.

ALLEN EDWARDS was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:—

395. WHAT are you by business?—A tallow-chandler. *A. Edwards.*

396. At Reigate?—Yes.

397. And a voter for the borough?—Yes.

398. I believe you did vote for Mr. Gower?—No, I did not.

399. Did you vote at all?—Yes.

400. For whom?—For Mr. Richardson.

401. I believe when this matter was inquired into you made a statement?—Yes.

402. That is your signature, is it not?—Yes.

403. Were you canvassed for Mr. Gower?—Yes.

404. By whom?—By Frederick Joyce, Wm. Joyce, and Mr. Johnson.

405. Now, when Frederick Joyce canvassed you to vote for Mr. Gower, what did you say?—I told him in the first place that I thought that I should.

406. And after that?—Several weeks afterwards he came to me again.

407. When it was getting near to the election?—Yes.

408. Then he came to you again?—Yes.

409. What did you say then?—I told him I was prepared to vote for him.

410. Was anything said about money?—He told me he would give me 5*l.*

411. Did he tell you that before or after you said you were prepared?—Before and after too.

412. You know Mr. Smith, of course?—Yes.

413. Did he come to you to your shop at any time?—No.

414. Did he not come to your shop at any time?—No.

415. Did he not come to your shop and put 5*l.* in gold upon the counter?—No.

416. Have you never said so?—I might have said so, but he never did it. I come here to speak the truth.

417. That is quite obvious. I want to know, did you say that Mr. Smith came and asked you to vote for Mr. Gower, and counted 5*l.* in gold on the counter in your shop and asked you to take it?—I think I did say so, but it was not true.

418. You think you did say so, but it was not true?—Yes.

419. I dare say you will tell us why you told such a falsehood?—I had no particular reason for it.

420. Was it for the pleasure of the thing?—For the pleasure of the thing.

421. When did you see Mr. Smith last to talk to him?—I have not talked to him, as far as I know, these two years, or more than that.

422. Not for more than two years?—No.

423. Did he never come to your shop?—Not that I know of.

424. Then the whole thing is a fabrication, he never came to your shop?—He never came to my shop on this account.

425. You signed your name, did you not, to that paper (*showing the paper to the Witness*)?—I did sign my name to a statement.

426. To the statement which I put to you, that he came to your shop, and put 5*l.* upon the counter?—That is wrong.

427. You can read?—Yes, I told them at the time that statement was drawn up that Mr. Smith was not in it, but the two Joyces.

428. Who was it you told that Mr. Smith came and put 5*l.* down upon the counter?—It was a person that canvassed for my vote for Mr. Monson; I told him that to deceive him; I told him that for fun.

429. Did anybody bring you 5*l.*?—No.

430. No one?—No.

431. I will ask you whether you did not state to Mr. Gilbert, that "Mr. Smith came and asked me to vote for Mr. Gower, and counted out 5*l.* upon the counter in my shop, and asked me if I would take it. I said 'No.'" And then, did you not add, with regard to this transaction, "I must request that no notice be taken, as I do not wish, for private reasons, to say anything about Mr. Smith?"—Yes, I did; and I did not mean it to be in the statement at all.

432. You did not mean it to be in the statement?—No, I did not.

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433. You did state that, and signed it?—I did not think it was there; I did not read it.

Cross-examined by Mr. *Karslake.*

434. Let us see how these statements are got up; who brought this statement down to you; where were you seen by Mr. Gilbert?—In Reigate.

435. When did he come down to you?—I am sure I cannot say when it was now.

436. Can you tell me; was it since January in this year?—Oh yes.

437. Before he came down had you had a card with Mr. Naylor's name of Parliament-street upon it?—No.

438. You had not seen Mr. Naylor of Parliament-street?—No.

439. When did Mr. Gilbert call upon you first?—I cannot say how long it was ago, I am sure.

440. Was it the first time that you had ever seen him?—Yes, I never knew him before.

441. And you do not know how he came to call at all?—No.

442. I will ask you a little about Mr. Richardson, your candidate; what is he?—He is a gentleman, I believe.

443. Is he a resident at Reigate?—He lives near, about Reigate.

444. Did he either propose or second Mr. Monson?—I do not know; I was not there upon the nomination day.

445. Somehow or other he was put up as a candidate as well?—Yes.

446. And he got eleven votes?—I do not know how many.

447. Had you not sufficient curiosity about your candidate to know about the votes?—No.

448. You voted for Mr. Richardson?—I did.

449. Who canvassed you for Mr. Richardson?—No one asked me.

450. Why did you do that?—Joyce never brought me the 5*l.* to vote for Gower.

451. And you voted for Richardson instead?—Yes.

452. And you would not vote for Monson or Gower?—No.

453. Now, Mr. Gilbert came down to you somewhere about January with this paper?—I think it might be about that time.

454. When did they canvass you on behalf of Mr. Monson?—I cannot say now when it was; it was somewhere during the canvassing time.

455. It was the gentleman that canvassed you during the canvassing time that you told this little untruth to?—Yes, I did.

456. I can divine what your object was; you did not give any promise to Mr. Monson?—No.

457. Who was that person that had canvassed you, and to whom you told this?—A man of the name of Frances.

458. Was Mr. Gilbert with Mr. Frances down there?—No.

459. Did he bring this paper cut and dried to your place, that you signed afterwards?—Mr. Gilbert.

460. Yes?—He never brought it to me.

461. Where did he write it?—He wrote it in a room where they had a meeting.

462. Who was present at the meeting when this paper was written out?—I cannot say; about a dozen, or there might not be so many.

463. Did you read it through, or hear it read through before you put your name?—He read it through.

464. At all events, that statement which is to be found there is utterly untrue?—It is utterly untrue about Mr. Smith; the other is correct.

465. The other, as to Joyce, you say is true?—Yes.

466. When did Joyce see you?—Several times.

467. Walking about the streets?—Yes, and at my own home.

468. What is Joyce?—He is a grocer.

469. You are a grocer too, are you not?—No, I keep a little shop.

470. When was it Joyce and you had this conversation?—Several times during the canvassing.

471. Did you assist in canvassing?—No.

472. You did not canvass?—No.

473. Or ask your friends to vote?—No; I do not know that I did; I did not take a great deal of interest in the election at all.

474. You had never seen Mr. Richardson before; he had not canvassed you?—No.

[The Witness withdrew.

Josiah Ede was called in; and, having been sworn, was Examined by Mr. *Biron,* as follows:—

Josiah Ede.

475. You are a labourer, I believe?—Well, I am a groom, I look after two horses for a gentleman.

476. Do you live at Reigate Hill?—I live at Reigate Hill.

477. And you are an elector of the Borough of Reigate?—Yes.

478. Before the last election, did you act as messenger for Mr. Monson?—Yes.

479. For how many weeks, do you remember?—No, I do not remember.

480. You were paid by the week for that?—Yes.

481. On the morning of the nomination day, do you remember Rose coming to you?

Mr. *Karslake.*] What Mr. Rose? because Mr. Rose's name has not been mentioned.

482. Mr. *Biron.*] Do you remember Mr. Rose's Christian name?—Alec Rose.

483. He came to you?—Yes.

484. That, you say, was the nomination day, the day before the polling?—Well, I cannot say whether it was the day before, or the day before that.

485. Either the day of the nomination, or the day before?—Yes; I am not sure which it was.

486. Did he say anything to you about your vote?—Yes.

487. What did he say?—He asked me if I would vote for Mr. Gower, and if I voted for Mr. Gower, I should receive 5*l.* from him.

488. Was any one else there when he said it; was another man of your own name, Ede, present?—Yes.

489. What is his Christian name?—James Ede.

490. Did you vote for Mr. Gower?—Yes.

491. After

491. After the election, did you see Frederick Joyce?—Yes.

492. How long after did you see him?—About two months after; I do not know exactly; it might be more than that.

493. Did you say anything to him?—Yes.

494. What was it?—I asked him for some money.

495. What money?—What he promised me; what Mr. Rose and them promised me.

496. And what did he say?—I received 2*l.*

497. Did Joyce say anything when he gave it to you?—No.

498. Have you received anything more since then?—Yes; some one sent me 1*l.* afterwards, just before Christmas; my son brought it up to me.

499. Was that your son John?—Yes.

500. That, you say, was a little before Christmas?—Yes.

Cross-examined by Mr. *Karslake.*

501. What are you by trade?—I have been a gardener.

502. And before you were a gardener, what were you?—I can hardly tell you, it is so many years ago. It is about 40 years ago.

503. What are you now?—A groom to Mr. Gray.

504. That is the name?—Yes.

505. And Mr. Gray is a tenant of Mr. Monson's farm?—Yes.

506. How long have you been a groom to Mr. Gray?—I have not been there long.

507. Were you a gardener up to the time that you became groom?—No.

508. That had fallen off?—My master went away, and then I had a discharge.

509. What are you now?—A groom.

510. To whom?—To Mr. Gray.

511. But before you were with Mr. Gray, were you out of work for some time?—Yes.

512. And before that occasion you were a gardener?—Yes.

513. You said at one time you were employed by Mr. Monson's people?—Yes; but that was when the election was.

514. How many weeks were you employed by them?—I really cannot tell you.

515. Give us a little notion?—Three or four weeks.

516. At how much a week?—That I do not know.

517. Yes, you do?—No, I do not.

518. How much a week did you get as messenger?—Really, I do not know what it was.

519. Yes, you do?—No, I do not.

520. You got gold for it; did you not?—I was paid for it.

521. In gold?—Yes.

522. When were you paid for it?—I will tell the story.

523. Don't do that, pray, if you can help it. When was it you were paid for it; that is, for the four weeks' work?—I only received one week's pay.

524. Then you did not work four weeks?—Yes, I worked three or four weeks; I then asked them for the money, and they would not give it me.

525. Whom did you ask?—Apted.

526. What Apted is that?—James Apted.

527. You wanted four weeks' pay, and they would only give you one?—Yes.

528. What did they give you?—I only received from them 10*s.*

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529. Had you carried messages during the four weeks?—I did not do much in the four weeks.

530. When did you receive the 10*s.*, before the election?—Yes.

531. What day was it you received the 10*s.*?—I do not know what day it was.

532. Was it about a week before the election? Yes.

533. Was that the last time you did anything?—That was the last time I did anything for them.

534. Did you become a messenger for Mr. Gower's people; did you do anything for them?—About six weeks before the election, Apted came to me.

535. What Apted?—Job Apted came to me and James Ede, and they asked me——

536. Never mind what they asked you?—They asked me for my vote; and they said, if I voted for Mr. Gower——

537. I must stop you; you do not answer my question. Did you act as messenger for Mr. Gower's people after you acted for Mr. Monson?—Before.

538. How many weeks did you act as messenger?—From the time they agreed with me, which was about five weeks.

539. You worked for them five weeks before you began for Mr. Monson?—Yes.

540. What were you doing during the five weeks; was that soon after the address came out in May?—I did anything they wanted me to do.

541. And you did that for five weeks, did you not?—Yes.

542. Now, you received nothing at all until after the election was over, two months afterwards?—Yes, two months afterwards?

543. When the money was paid to you, did you give that receipt?—Well, I signed my hand to it.

544. Where did you sign your hand to that?—At Joyce's.

545. Frederick Joyce's?—Yes.

546. That was two months after the election was over?—Yes.

547. Was it after you had done the work for Mr. Gower that you began to do the work for Mr. Monson?—Yes.

548. And then you got 10*s.* for a week's work, although you worked four. That was so?—Yes.

549. And it was two months after the election that you got 2*l.*; that was given to you by Frederick Joyce?—Yes.

550. During the five weeks you were working for Mr. Gower's people, did you carry about notices, and handbills, and circulars, and different things of that sort?—I did anything they ordered me to do.

Re-examined by Mr. *Biron.*

551. Did you say for five weeks you had been working for Mr. Gower?—Yes.

552. As a messenger, and so on?—Yes, doing anything they wanted me to do.

553. Before the election, and before you began to work for Mr. Monson, did you not demand payment for what you had been doing?—No; the agreement was that I was not to have it until just before the election.

554. Whom

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554. Whom was that agreement made with, that you were not to have it?—With Jim Ede and Apted.

555. There was an agreement with them?—Yes.

556. What was it; tell me about it?—When they agreed with me they said my money would mount up to 5*l.*

557. When you began to work?—Yes.

558. They said your money would mount up to 5*l.*?—Yes.

559. What was the agreement about?—That was all the agreement that we had.

560. You said they agreed that you were not to have it before the election?—No; I am not so sure about that, whether I was to have it before; but I was to have that money; I do not think that was mentioned.

561. You were to have that money?—Yes.

562. Before the election?—No.

563. You say you worked; what did you do by way of working; when you were employed by the Gower people, what did you do?—I attended the committees, and did anything they asked me.

564. Where were the committees held?—Some were held at the Bell; I attended there; then there were some at the Wheatsheaf.

565. What was the business done at the committee rooms, drinking beer and smoking pipes?—They considered there as to getting the votes, and one thing and another.

566. That is what you did there; that was your work, in fact?—Drinking and that like.

567. Yes?—No; that was not my work.

568. What else did you do?—Trying to get other voters to vote for Mr. Gower.

569. You say there was no settlement with Mr. Monson, except the 10*s*?—Yes.

570. By the *Committee.*] You had 2*l.* paid you by Joyce, and some one sent you 1*l.* more before Christmas; can you tell us how soon it was before Christmas?—I cannot.

571. Was it a week?—A week or a fortnight before; I did not take any account.

572. It might have been two or three days?—No.

573. Not less than a week?—Not less than a week.

574 Do you not know who sent you the money?—I do not know who sent it; my son brought it to me.

[The Witness withdrew.

JOHN FARRINGTON was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:—

John Farrington.

575. WHAT are you?—A labourer.

576. Are you an elector of the borough of Reigate?—Yes.

577. You voted upon the last election?—Yes.

578. For Mr. Gower?—Yes.

579. I believe you have since made a statement that was taken down in writing and signed?—Yes.

580. Do you remember Mr. Gower, Mr. Smith, and some others calling at your house?—Yes, but I never saw them.

581. You only heard of their having called?—Yes.

582. Did you afterwards upon the same day see Joyce?—No.

583. When then?—Rose came to me first.

584. Who is Rose?—A pork-butcher at Reigate.

585. Had he anything to do with the election?—I believe he was one of the agents.

586. Did you see him acting?—He came to me and asked me.

587. He canvassed you?—Yes.

588. Did you see him canvassing others?—No, I do not know that I did.

589. Joyce you saw often, did you not?—Yes.

590. Did he canvass you?—Yes.

591. Did he come and ask you to vote for Mr. Gower?—Yes.

592. What did he say?—He offered me 5*l.* if I would vote for Mr. Gower.

593. And what did you say?—I said, I would.

594. Anything further?—He has only let me have 3*l.* out of it.

595. When did he let you have it?—I do not know the day of the month.

596. How long after the day of the election?—Not long after.

597. But it was after the election?—Yes.

598. Then he let you have 3*l.*?—Yes.

599. And you never got the remainder?—No.

600. Who was to give you the 3*l.*?—Joyce.

601. Had 3*l.* been offered to you before the 5*l.* had been offered?—Yes.

602. By whom?—By Rose.

603. What did you say?—I did not take any notice of that.

604. You would not take 3*l.*?—No.

605. Is there a beer-house called Head's beer-house; do you remember on any night just before the election being at a beer-house with 40 other people?—Muggeridge's.

606. How many of you were there?—I believe there were 40.

607. Were they electors?—All voters; Rose was amongst them.

608. I am told it is Muddle's beer-house; do you remember being there with a good many of the electors?—Yes.

609. About how many?—About 40.

610. Who else was there?—Rose was there.

611. Had you a chairman?—I believe he was the chairman.

612. What were you there for?—He called us there and gave us some drink.

613. Did he make you a speech?—No, I did not.

614. But did he make a speech?—I do not know what he did say; I did not have any conversation with him.

615. Did you have anything to drink?—Yes.

616. And did all the others?—Yes.

617. Who paid for it?—I believe he did.

618. Did you?—No.

619. Did any of the other independent gentlemen pay?—No.

620. None of them?—No.

621. You never got your 2*l.*?—No.

Cross-examined by Mr. *Karslake.*

622. You got 3*l.*?—Yes

623. Were

623. Were you employed as a messenger?—No.

624. Do you mean to say that you did not act as a messenger?—Yes.

625. In no way?—I went to my work every day.

626. Did you carry at times the circulars and the different things for them from the committee room?—No, nothing.

627. Will you swear that?—Yes.

628. You did nothing whatever?—No.

629. Did you not do that, and were you not paid 3*l.* 12*s.* for it?—No, only 3*l.*

630. Who came to you down at Reigate?—Rose came to me first.

631. I mean to get the statement of yours written down?—Who came to me?

632. Yes, who first came to you?—I believe I can pick out the gentleman. Mr. Gilbert, I believe.

633. When did he come to you?—I do not know the day of the month.

634. In this year or the last?—This year.

635. Do you know how he came to you?—He asked me whether I had not so much upon the election, and I said yes.

636. Had you seen, before you saw him, a person who called himself Mr. Naylor, of Parliament-street?—I did just see him.

637. What sort of a man is he like?—Rather a darkish-looking man.

638. Did he leave a card with you?—He did give me a card.

639. Let me have a look at the card?—I have not got it here.

640. Is he not really a Mr. Hamblin, who keeps a public house in Shoreditch?—I do not know.

641. When did you see Mr. Naylor, of Parliament-street?—I do not know the day of the month.

642. Was it in December?—I cannot say when it was.

643. Was it after you had received the money?—Yes.

644. Did he ask you, this Mr. Naylor, whether you were not owed a considerable sum of money, and did he not tell you to come up to an inn to be paid that?—He said I had received so and so.

645. He represented himself to be Mr. Gower's agent?—Yes.

646. Then you found you were humbugged by Mr. Naylor; you went up and did not see him there?—I never went there.

647. How many of them went up to see Mr. Naylor?—Somebody told me before I got up that it was no good going there.

648. You have not got the card, have you, of Mr. Naylor, of Parliament-street?—No, I have not.

649. Did you see him calling on a great many other people as well as you?—No, I did not.

650. You never had the pleasure of seeing Mr. Naylor of Parliament-street before?—No.

651. Nor since?—No.

652. How many men went to the inn to be paid?—I do not know.

653. Was it not some public house that you were to go to to be paid?—To the White Hart.

654. Were you to go up in the evening and get your money?—Upon the Saturday.

655. And you were going up when you met some people who had gone up, and had not succeeded in seeing Mr. Naylor?—Yes.

656. Who came there with Mr. Naylor?—I do not know.

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657. You had not heard of anything of a petition before Mr. Naylor came; it was after Mr. Naylor came, that Mr. Gilbert called upon you?—Yes.

658. How long after Mr. Naylor had been down, did Mr. Gilbert come down?—I cannot say how long.

659. About a month or three weeks?—I should think it was.

660. How many men went up altogether to the White Hart, and found they went upon a fool's errand?—I do not know.

661. You were going when you found it was of no use?—I was going, but I had information before I went, that it was no use going.

662. You do not know how many people went up?—No, I do not.

663. How many days was Mr. Naylor about Reigate?—I cannot say anything about that.

664. How many times did you see him?—Only that once.

665. Do you know how he found you out?—I happened to go into a grocer's shop.

666. What grocer's shop?—Henry Baines.

667. Who did he vote for?—Mr. Gower.

668. You happened to see him in the shop of Mr. Baines?—Yes.

669. And then he began to have the talk with you?—Yes.

670. Can you give me any notion of how long before Christmas that was?—No, I cannot.

671. What do you do as labourer, what is your work?—I work at the lime works.

672. How many days were you away?—Did you come at night to the committee-room and carry things? Did you attend as a messenger?—No.

673. Did Joyce tell you to come from time to time?—No, I never had anything to do with it.

674. Do you mean to say you never had 3*l.* 12*s.*?—No, only 3*l.*

675. Tell me if that is your handwriting to that receipt? (*Handing a paper to the Witness*)—I have only had 3*l.*

676. Is that your handwriting notwithstanding?—He has entered the 12*s.* in it.

677. Is that your handwriting, that is what I want to know, in that receipt?—That looks like my writing.

678. Have you any doubt about it?—I believe that to be my writing.

679. I ask you, whether you will swear you did not receive 3*l.* 12*s.*?—No, I had 2*l.* and 1*l.*

680. When was the 2*l.* paid?—I had the 2*l.* first.

681. How long after the election?—Not a great while after the election.

682. But how long after?—Not hardly a week.

683. How long after that, was it you received the 1*l.*?—A month or 6 weeks.

684. Also from Joyce?—Yes.

685. Did you give him the document after you received the second sum of money, did you sign that paper?—Yes.

Re-examined by Mr. Serjeant *Ballantine.*

686. I have a curiosity about this Mr. Naylor. Mr. Naylor represented himself as being an agent of Mr. Gower?—Yes.

687. What made the people, who voted for

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Mr. Gower go up to see him? What did they go for?—I believe they thought to get the money.

688. They thought to get what money?—The money that they had due to them.

689. That is to say, for the votes they gave?—Yes.

690. And so Mr. Naylor pretended he was Mr. Gower's agent?—Yes.

691. And they thought they would get the money?—Yes.

692. And he thought that he would get a statement?—Yes.

693. And that is the history of it?—That is a out it.

694. That is the way you were all found out?—Yes.

695. Now about this receipt. I propose to put it in. "Received from F. Joyce the sum of 3*l.* 12*s.* for work done at the last election for J. G. L. Gower, M.P., October 27." And that is 3*l.* 12*s.* for work done?—I had only 3*l.*

696. What work was it?—I never went away from my own work. I always attended to my own work.

697. What was your work?—The lime work.

698. By the *Committee.*] Is it F. Joyce or H. Joyce?—F. Joyce.

699. Mr. Serjeant *Ballantine.*] Is there one word of truth in the statement in that paper, that you had done any work at all?—I never did any.

Mr. Serjeant *Ballantine* stated, he would take an opportunity of ascertaining whether that was one of the sums vouched for in the returns.

[The Witness withdrew.

JAMES APPS was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine,* as follows:

James Apps.

700. Are you a labourer?—Yes.

701. You live at Reigate?—Maida Vale, Reigate.

702. I believe you water the town of Reigate?—Yes.

703. Whom did you vote for?—Mr. Monson.

704. I believe you are the owner of the carts, or the contractor who waters the roads there?—Mr. Holdsworth waters the roads.

705. You are one of his servants?—Yes.

706. He voted for Mr. Monson?—Yes.

707. Do you recollect meeting Mr. Smith and Joyce?—Yes.

708. And some other gentleman?—Mr. Gower.

709. Were you introduced to Mr. Gower?—Yes, Mr. Smith introduced me to Mr. Gower.

710. And in the presence likewise of Joyce?—Yes.

711. I believe you were asked for your vote?—Yes, Mr. Gower asked me for my vote.

712. And what did you say?—I said, "No, Sir."

713. What did he say?—He did not say any more then, but Mr. Smith did.

714. Mr. Smith said what?—Mr. Smith said I had better promise Mr. Gower.

715. Did he say why?—No, he did not say why.

716. He said you had better promise Mr. Gower?—Yes.

717. And what did you say?—I said no. Joyce then said, "You had better promise Mr. Gower, and then you will be done with—we shall not come to you any more," and I said no.

718. Just answer me this question. When Joyce canvassed you, was it in the hearing of Mr. Gower?—Yes, Mr. Gower, Mr. Smith, and he were all three together.

719. When you declined to give your vote, what did either of them say?—Joyce said I had better give it to Mr. Gower, and he said I was not to mind about the water-cart, nor yet the man at the Cross—that is my master.

720. That is Mr. Holdsworth?—Yes.

721. Did he say anything as to your leaving your employment?—He said if he turned me off they could find me plenty of work; that there would be plenty of work for me.

722. I believe you did not promise?—I did not.

723. And you did not vote for Mr. Gower—you voted for Mr. Monson?—Yes.

724. Have you been offered money at any time?—No, only from Mr. Gower's party.

Cross-examined by Mr. *Karslake.*

725. How long was it before the election that you were canvassed in this way?—About 3 or 4 days.

726. While you were about with your water cart?—Yes, I was watering the streets.

[The Witness then withdrew.

JAMES PETERS was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine,* as follows:

J. Peters.

727. What are you?—A gardener.

728. And you are an elector, are you not, of Reigate?—Yes.

729. Which way did you vote?—For Mr. Gower.

730. Who canvassed you?—Mr. Apted.

731. Job Apted?—Yes.

732. Did you ever see him in company with Mr. Gower and Mr. Smith when you were canvassed?—No, not at that time.

733. Did you afterwards?—Yes, I saw them together.

734. Did they speak to you about your vote then?—No, they never spoke to me.

735. They never spoke to you about your vote?—No.

736. Are you sure about that?—Yes.

737. Did you not tell them you had not made up your mind?—Not when Mr. Gower was with them.

738. Your name is Peters?—Yes.

739. You made a statement, did you not?—Yes.

740. Just recollect yourself. Did Mr. Gower, Mr. C. J. Smith, Job Apted, and Buckland call on you for your vote?—That was the first time.

741. And did you tell them you had not made up

up your mind?—Yes, I did; that was the first time.

742. Did you meet Job Apted after that one day?—I did.

743. What did he say to you?—He asked me if I had made up my mind.

744. Did he say anything else?—I told him I had not done so.

745. Did he ask you to meet him anywhere?—Yes, he did.

746. Where at?—At the Town Hall on the same evening.

747. And did you go?—I did.

748. Was Frederick Joyce there?—Yes, he was.

749. Did you go anywhere with Apted and Joyce?—I did.

750. Where did you go to?—Over to the White Hart.

751. That is the principal inn, is it not?—Yes, it is.

752. Was it Mr. Gower's committee-room?—I do not know whether it was the committee-room we went in there or not.

753. Used they to meet there?—They met there.

754. What took place when you got there?—I do not know particularly.

755. Did you see Mr. Gower there?—I did.

756. Did nothing take place?—There were a few questions asked by one and the other round among them.

757. Did nothing take place with you?—Not particular. I do not think Mr. Gower would ask me any questions about anything himself.

758. Did he see you were with Apted and Joyce?—Yes.

759. Did they ask you anything?—Not there.

760. Where then?—After we came out.

761. Mr. Gower saw you there with Apted and Joyce, and then you left with Apted and Joyce?—Yes.

762. Then what took place?—Then I went out and went back again to the Town Hall.

763. What took place then?—I told Joyce he was to put my name down on the Committee.

764. Were you to get anything for it?—They never mentioned anything.

765. You have made a statement?—Not by Joyce.

766. Never mind Joyce; which of them was it?—Job Apted.

767. What did Job Apted say to you?—Job Apted offered me 4*l.* if I would go to work for them.

768. Was that for putting your name down on the Committee?—That was before I was put on the Committee.

769. Were you to have that whether or no?—If they won the battle I was to have it.

770. If you won the battle you were to have 4*l.*?—Yes.

771. If you did not you were to work for nothing?—I do not know whether I should have got anything or not.

772. But you were to have 4*l.* if you won the battle?—Yes.

773. Did you get any?—Yes.

774. How much?—Two pounds.

775. Do you remember being at a meeting at the Bell?—Yes.

776. Were there about twenty-five other voters there?—I do not know how many there might be.

777. There were a good many?—I dare say there were twenty-five, or perhaps more.

778. What did they do there?—I do not know that I did anything particular.

779. A little eating and drinking?—No eating.

780. Drinking?—A little drinking.

781. Amongst you all?—We all had something to drink.

782. Who paid for it?—Now you beat me; I do not know.

783. You have no idea?—Not the least whatever.

784. Who was there who could have paid for it?—I do not know.

785. Was Rose there?—He was there.

786. Was Apted there?—I saw him there but for a short time, I believe.

787. You have no idea who paid?—Not in the least.

788. Have you had any of those treats since the election?—No.

789. They only come about the election time. That is the only time people are so liberal?—Yes, I suppose so.

790. You were at the Black Horse?—Yes.

791. Was Rose in the chair?—I do not know that he was.

792. Did you get anything to eat and drink?—Nothing to eat.

793. But to drink?—Yes.

794. A good many?—There were a few.

795. Who paid for that?—I do not know, I never saw any money pass.

796. Nobody has applied to you for it since?—No.

797. And you do not expect to be applied to?—No, I do not.

Cross-examined by Mr. Henry *James.*

798. How long have you been at Reigate?—Just turned twenty years.

799. You know a good many people there?—I know several.

800. You are a very popular person in Reigate?—I do not know I am sure about that.

801. Do you recollect Apted asking you to canvass for them?—Yes.

802. Among the people you knew?—Yes.

803. And you told him you did know a good many you could canvass?—I did not tell him I knew many.

804. You told him you knew some?—I told him I knew several about who had got votes.

805. Did he not then ask you to give up some of your time to canvass for them?—No, he did not.

806. What did he ask you?—That I would do the best I could to assist them.

807. What were you to do to assist them?—Anything I could do.

808. In what way?—To go and ask any friend that I knew, if he would come our way, and join our party.

809. Do you not call that canvassing?—I do not know what you call it.

810. Do you not call it canvassing?—I do not know that I do.

811. Do you know that other people call it so?—I do not know.

812. Did you do that?—I did ask several friends if they would go our way or not.

813. Was

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813. Was it not what they asked you if you would undertake to become a canvasser for Mr. Gower?—I did not tell him that I would become a canvasser.

814. Was it not what Apted asked you to do. He asked you if you would become a canvasser and spend your time in canvassing?—I do not know he asked me whether I would do it exactly.

815. What did he ask you then?—He asked me whether I would support them.

816. About canvassing?—He did not say about canvassing particularly, he meant helping of them in regard to seeing a few friends to go the same way.

817. Did he ask you to work for them?—Yes.

818. And you promised you would?—Yes.

819. You only received 2 *l.*?—That is all.

820. Were you one of Mr. Naylor's victims?—I was not.

821. To whom did you give this information?—That gentleman who stands just at the side there. Young Mr. Gilbert.

822. When did he come to you?—He did not come to me.

823. Did you go to him?—I went to him.

824. What caused you to go to him?—A friend came to me to go down and see him.

825. Who was that friend?—Mr. Cotton.

826. Who was transported; he asked you to go and see him?—Yes.

827. What for?—To see Mr. Gilbert.

828. For what purpose?—Concerning this election.

829. You knew it was for that?—I did not know it till such time as I got there.

830. When you got there Mr. Gilbert told you?—Yes.

831. Where was that at?—At Mr. George Nichols.

832. Were you to have anything for giving the information?—No.

833. Have you received anything?—No, I have not.

834. Nothing at all?—No.

835. Were you angry at only having the 2 *l.*, and not the 4 *l.*?—I had the 2 *l.*

836. What made you give the information?—I do not know particularly.

837. Without being particular, do you know what it was?—I had no particular reason that I know of.

838. Was it because Mr. Cotton asked you, or Mr. Gilbert?—Mr. Gilbert did not ask me in particular.

839. Who asked you to give the information?—Mr. Gilbert asked me to give the information when I got there.

840. What caused you to do it?—I had no particular cause.

841. Of any kind or description?—No.

842. It was your sense of honesty?—I did it upon the best judgment for myself and for others as well as I know.

843. For whom?—For all the whole concern.

844. Who are the whole concern?—Mr. Monson's men, and Mr. Gower's men as well.

845. And Mr. Cotton inclusive, probably?—I do not know about that.

846. Now, one question about the Bell; the men that were there, what were they doing; were they men who had been working?—I do not know.

847. Do you know who they were?—I met a few.

848. Were they active supporters of Mr. Gower?—I do not know, I am sure.

849. What had you to drink that you did not pay for?—A very small trifle indeed.

Re-examined by Mr. Serjeant *Ballantine.*

850. Were you limited, or did you call for what you wanted?—The chief part of it I called for, and paid for myself out of my own pocket.

851. I thought you said you had not paid for any drink?—I did not say I had not paid for any.

852. Do you mean that you paid for any at the Bell?—I paid for some at the Bell out of my own pocket.

853. And drank some at the others at somebody else's expense?—Yes.

854. You said you did not know who paid for any of it?—I know what I paid for on my own account.

855. You canvassed some of your friends?—I never canvassed anyone that I know of.

856. You did nothing for your 4*l*?—I do not know I am sure.

857. Did you do anything for your 4*l*?—Yes, I did, I got about and assisted as far as laid in my power.

858. What did you do?—I did no more than ask some of my friends.

859. Whom did you ask?—Well, I do not know any one in particular.

860. Can you tell me anyone?—I can.

861. Whom?—I cannot remember his name now.

862. Are you sure; cannot you remember his name?—John Knowles.

863. Did you tell him what he would get for it?—I had nothing to do with it.

864. Did you tell him what you were to get?—No I did not.

Examined by the *Committee.*

865. You said you received 2*l*?—Yes.

866. I do not think you stated from whom you received it?—From Job Apted.

867. That is all you received?—That is all that I received.

[The witness withdrew.

JAMES BONNY was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine,* as follows:

J. Bonny.

868. You are a confectioner at Reigate?—Yes.

869. Where you canvassed at the last election? Yes.

870. By Mr. Apted?—Yes.

871. Personally by Mr. Gower?—Yes, and by Mr. Smith.

872. Did you see Apted?—No.

873. Did you see Rose?—Yes.

874. Was Rose active?—Yes.

875. Canvassing?—Yes.

876. Did you ever see him with Mr. Gower? No.

877. With Mr. Smith?—No.

878. He

878. He was doing it alone, was he, when you saw him?—With Joyce.

879. Frederick Joyce?—No, not Frederick.

880. The other Joyce?—Yes.

881. William Joyce?—Yes.

882. Do you recollect having a bad arm?—I do, well.

883. Did Rose come to you about that time?—Yes.

884. What did he say to you. When was this. How long before the election?—Little better than three weeks.

885. And what did he say to you?—He asked me if I was a mind to work for Mr. Gower. I said no, I could not, as I had such a bad arm, it would injure that if I got about taking a glass too much. He said, "if you will, I can give you 30s. a week." I said, it was of no use. He said "We can afford to give you a little more, as we know you to be a good worker."

886. In what way were you a good worker?—In canvassing.

887. Was anything said to you about your vote?—Yes.

888. What?—He called on me three or four times running, and said, if I would vote for Mr. Gower, he would give me 5*l.*

889. By the *Committee.*] Who said that?—Rose.

890. Mr. Serjeant *Ballantine.*] Did you vote for Mr. Gower?—Yes.

891. Why?—

Mr *Henry James* objected to the question.

Mr. Serjeant *Ballantine.*] I will put it in another form.

892. Should you have voted if you had not been promised 5*l.*?—That I cannot say.

893. What do you think?—

Mr. *Henry James* objected, on the ground that a man's thoughts were not evidence.

The *Chairman* stated, the Committee were of opinion that the question could not be put.

Cross-examined by Mr. *Henry James.*

894. You did vote for Mr. Gower?—I did so.

895. Did you get any money from anyone?—No.

896. From no one at all?—No.

897. You seem angry about that?—I am.

898. That is the reason you come here to-day, probably?—I cannot say.

899. Probably, if you had the 5*l.*, you would not have come?—I should not have holloed.

900. You only hollo for 5*l.*?—When I agree to give a man a thing, I expect to do so.

901. But you have not told us you did agree?—I agreed to have it, if I got it.

902. Have you voted before at Reigate?—Many a time.

903. Whom did you vote for at the last election—the one before this?—Mr. Wilkinson.

904. He was the opponent of Mr. Gower?—I know that.

905. But I ask you?—Yes.

906. Have you voted at any elections before?—Yes.

907. For whom did you vote at the election before that?—For Mr. Wilkinson, and should again if he were living.

908. You were a supporter of his?—I was so.

909. And he had been an opponent of Mr. Gower's?—Yes.

910. Joyce, in the first instance, asked you to canvass?—Rose.

911. Did he ask you to canvass?—Yes.

912. Several times?—Yes.

913. And you were a good worker?—When I was able.

914. You were a good worker?—Yes.

915. You halloo'ed then, I suppose?—Not a bit.

916. You did not get 5*l.*?—I got satisfied.

917. With what?—It does not matter what.

918. You will not satisfy me?—I was satisfied for all I had done, for the work I had done.

919. You had been in the habit of being paid for the work you had done?—Once.

920. When you worked for Mr. Wilkinson?—I worked well for him.

921. Then you were paid so much a week?—I was.

922. Did that cause you to halloo?—Not a bit of it; I never did then.

923. At any rate, you have been paid?—Certainly.

924. Can you tell me how much?—I had a cheque for 10*l.* or 12*l.*, perhaps.

925. When Rose came and asked you, you would have canvassed, if you had been well?—Yes, of course, I should.

926. For Mr. Gower?—Yes; and I should have been paid every Saturday night.

927. That is money fairly earned?—Yes.

928. You would not have taken money without, unless it had been fairly earned?—Yes, I should; I should be very foolish if I saw a 5*l.* note in the road not to pick it up.

929. You took money when you fairly worked, and you were willing to take it if you did not fairly work?—Yes.

930. Did you apply to those after the election for it?—No.

931. To anyone?—No.

932. When did you make the statement, so as to bring it before the public, that you had not been paid this money?—When I was asked how much I got for my vote.

933. Who asked you?—Several in public.

934. And you stated it in public?—Yes.

935. And you have stuck to it ever since?—Yes.

936. Who was present?—I cannot say.

937. When did you first give the information to Mr. Gilbert?—Some little time back.

938. What was the reason you did not apply to anyone to fulfil the promise made to you?—Because others had done the same, and they were going to be settled with when Mr. Gower took his seat.

939. The time had not come for you to be paid?—The time had not come for me to be paid; and it does not appear to be coming.

940. You will have to halloo without the money?—Yes.

941. Mr. Gower did take his seat?—Yes.

942. Why did you not apply then?—Others applied. I have not had a chance of seeing Mr. Rose since.

943. Does not Rose live in Reigate?—Yes.

944. You could have seen him?—If I had gone to his house. If I had run against him, I should have asked him for it.

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Re-examined by Mr. *Ballantine.*

945. Had you heard of the applications made by others?—Yes, frequently, because one or two owe me ever so much; and they said they could not settle with me until they were settled with about Mr. Gower's election.

946. About how many did you hear it from?—Three or four.

947. It was a good deal talked about at Reigate?—Yes, nothing else was talked about at one time.

948. Are you able to ascertain how much money has been left unpaid?—I cannot say, a goodish bit.

Mr. *Henry James* objected to the question as a matter that could not be within the witness's knowledge.

The *Chairman* said the Committee were of opinion that the question could not be put, as it was a matter not within the witness's knowledge.

[The Witness withdrew.

JAMES HALL was called in; and, having been sworn, was Examined by Mr. *Biron*, as follows:—

J. Hall.

949. ARE you a gardener?—Yes.

950. And an elector of the borough of Reigate?—Yes.

951. You voted for Mr. Gower, I believe, at the last election?—Yes.

952. Who canvassed you?—Mr. Johnson canvassed me for one.

953. Job Apted and Thomas Buckland?—Yes.

954. Did they ask you for your vote?—Yes, they asked me for my vote.

955. What did you say?—I said I would give it.

956. When they asked you, did they say anything besides asking you for your vote?—No, they did not.

957. Did they say anything about being paid?—They said they would pay me the same as the other men were paid.

958. Did they say what that was?—No, they did not say what it was.

959. What was it. Did you know?—No, I did not know.

960. After this, did you attend the meetings?—Yes, I attended all the meetings that I possibly could.

961. Did you go to the Town Hall to a meeting?—Yes.

962. Was Mr. Gower there?—Yes.

963. Did you hear Mr. Gower say there anything about payment?—Yes.

964. What was that?—Mr. Gower said that every man who worked for him should be paid, and paid well.

965. Since the election have you made any application for payment?—Yes.

966. Whom to. Did you go to Mr. Smith?—Yes, I went to Mr. Smith.

967. C. J. Smith, the solicitor?—Yes.

968. What did you say to him?—I asked him if he would settle with me for the election; and he told me I was to go to Buckland or to Apted.

969. Did he say which Apted?—Job Apted.

970. By the *Committee.*] Smith told you to go to Apted?—Yes.

971. Mr. *Biron.*] Did you go to Apted?—Yes; I went to Apted.

972. Did you ask him for your money?—Yes.

973. What did he say?—He said he would give me 30*s.* on account, and he did give me 30*s.*

974. Did he say anything about the rest?—That there would be more in February, when the seat was taken.

Cross-examined by Mr. *Henry James.*

975. He said you were to have what the other men had?—Yes.

976. You told us, in the first instance, you were to have what the other men had?—Yes.

977. Tell me honestly, was not that for doing work, and attending Committee rooms?—Yes.

978. It was?—It was.

979. Did you not attend at the Committee rooms, whenever you could, and do work?—Yes; I attended all the Committee rooms that I could.

980. And what sort of work did you do?—I did not do any work, only going to public houses, and drinking and smoking; that is all the work I did.

981. Did you go with messages?—No.

982. Whether you did it or not, did you not tell Apted you had done it, when you went to him for the money?—I asked him if he would pay me for my work that I had done.

983. You asked Apted to pay you; you said, "Pay me for the work I have done"?—Yes.

984. Did he ask you what work you had done?—No, he did not.

985. Did you not tell him you had worked for six weeks, more or less; just think; did you not tell him so?—Well, I think I did.

986. That you had worked for six weeks?—Yes.

987. What did you intend to convey to him; that you had worked for six weeks at what?—Canvassing. That is what they meant for me to do.

988. When you told Apted that you had worked for six weeks, was it true?—It was true.

989. And you intended Apted to believe it to be true?—Yes.

990. And when you told him you had worked for six weeks, he gave you 30*s.*?—Yes.

Re-examined by Mr. Serjeant *Ballantine.*

991. And he promised you that you should have the remainder in February?—Yes.

992. When the seat was taken?—Yes.

993. Was anything said to you about how much was owing to you?—No, nothing was said about it.

994. Had the amount been mentioned to you that you were to have?—No.

995. Never had been?—Never had been.

996. The first answer you made to my friend was, that the only work you did was going to the public houses?—Yes.

997. Is that so?—Yes.

998. Did you do anything else?—No, I did not.

999. What did you do when you got to the public

public houses?—I did nothing but drink and smoke a pipe.

1000. Who paid for that?—I do not know.

1001. Did you pay for it?—I paid for some myself sometimes, and sometimes I did not.

1002. By the *Committee.*] Was 30*s.* all you got?—That was all that I got.

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GEORGE JUPP was called in; and, having been sworn, was Examined by Mr. *Biron*, as follows:

1003. ARE you a bricklayer?—No.

1004. What are you then?—A carpenter.

1005. And an elector of Reigate?—Yes.

1006. Did you vote for Mr. Gower at the last election?—Yes.

1007. Before the day of polling do you remember a Mr. Henry Green coming to you?—No.

1008. It is the wrong day then, the day of polling?—I went to the Committee-room, at least outside the Committee-room.

1009. And there, outside the Committee-room, did you see Mr. Green?—Yes.

1010. Did he say anything to you about voting?—Yes, he said to me, "Are you coming upon our side again? You seem backward in coming forward." I said, "I do not know." He said, "Did I not behave well to you before." I said, "Yes." "Well," he said, "I will do the same to you again." That was an answer.

1011. What did he give to you before?—I cannot exactly say what it was; it was about 10*l.*

1012. He gave you about 10*l.* before?—Yes.

1013. Was that for voting before?—And canvassing a little.

1014. Was this the polling day that this conversation took place?—No, about a week before it might be.

1015. Did you answer him then? Did you say whether you would or not?—I told him that I would.

1016. And 10*l.* you received from Mr. Green before?—Yes.

1017. Do you remember seeing Thomas Featherstone?—Yes.

1018. When did you see him?—Something like a week or a fortnight before. I could not say to a few days.

1019. Did you have any conversation with him about voting?—Yes.

1020. What did he say?—He wanted to know if I was going to row in his boat.

Mr. *Karslake* objected to the evidence as to the interview with Featherstone, on the ground that Mr. Serjeant *Ballantine* had not opened him as an agent.

Mr. Serjeant *Ballantine* admitted that he had not mentioned Featherstone's name, but if he found, after inquiry, that he was justified in asking the question, he would apply to the Committee to be allowed to put it at another time.

1021. Mr. *Biron.*] I had better not go on with this examination about Featherstone at present. Had you seen any money given to voters before this last election?—Yes.

1022. By whom?—By Mr. Green.

1023. The same man you have been speaking about?—Yes.

1024. By the *Committee.*] Upon former occasions?—No, this last election.

1025. Mr. *Biron.*] Whom did you see Mr. Green give money to?—To George Room, a bricklayer.

1026. Anybody else?—No, I cannot say.

1027. Do you know what he gave Room?—No, I cannot say, but before I went into the room George asked me ——

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Mr. *Karslake* objected to the Witness stating what George had said.

1028. Mr. *Biron.*] Do you remember going to the "Warwick Arms" to a meeting there?—Yes.

1029. When was that?—About a week before the election.

1030. There was a meeting of 40 or 50 people, was there not?—Well, I dare say there were.

1031. Do you remember who was in the chair?—No, I do not.

1032. Do you remember meeting there on the night of the nomination?—No.

1033. Were you not there on that night?—No.

1034. Upon the first night, was there drinking going on?—Yes.

1035. Plenty of it?—I had plenty.

1036. As much as you wanted?—Yes.

1037. Did you pay for it?—No.

1038. Do you know who paid on that night?—No.

1039. Do you remember who was in the chair?—I think they were all chairmen.

1040. They all had drink?—Yes, all.

1041. You had as much as you wanted?—Yes, I did not pay for it.

Cross-examined by Mr. *Karslake.*

1042. You never do pay when you can help it?—No.

1043. Where was this? at the "Warwick Arms"?—Yes.

1044. And you say 30 or 40 people. Was the room full?—Yes, the room was full—nearly full.

1045. I suppose there was a good deal of excitement about the town that day?—I do not know.

1046. Did you go the nomination?—Yes.

1047. You heard all the candidates nominated?—No.

1048. Whom did you hear nominated?—I was not in the room then. I was over at Reigate, but not in the room.

1049. I infer from what you say, that you had voted for Mr. Gower upon former occasions?—Yes.

1050. Had you canvassed for him upon a former occasion?—All that I did was to take one circular.

1051. Did you attend at the committee rooms from time to time?—Yes.

1052. When you were wanted there?—Yes.

1053. That was in the year 1863, the former occasion?—Yes, the election previous to this.

1054. Did you attend by appointment from time to time at the committee rooms, to do what you were required to do?—Yes.

1055. And how many weeks were you engaged in that way?—Three or four weeks.

1056. How long was it? You say you think about a week; was it not more than a week before

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fore the election, that you went to the committee room?—I do not know.

1057. You cannot fix any date of going there?—No, I cannot.

1058. Which committee room did you go to?—To the "Wheatsheaf."

1059. Whom did you see at the "Wheatsheaf"?—I do not know.

1060. You do not know whom you saw?—No.

1061. By the *Committee.*] Are we now upon this election?—No, not on this election.

1062. Mr. *Karslake.*] I was asking you upon this election, when you say you went about a week before the election—you cannot fix the date—to the committee room, what committee room did you go to?—Not to a committee room.

1063. Then I have your evidence wrong?—You are speaking of the election before this.

1064. No, I am talking of this election. Your evidence was, "I went to a committee room," and Henry Green saw you, and said, "Are you coming our way again"?—That was outside.

1065. Where?—At the Market Hall.

1066. Mr. Gower's committee rooms were at the school room and town hall?—There were no public houses at all, not that I am aware of.

1067. You know that he had three committee rooms, do you not; one at the old town hall, another at the Market Hall, and another at the school?—Yes.

1068. Which was it you went to?—Red Hill.

1069. Is that where you live?—Yes.

1070. After the time that you saw Mr. Gower, did you attend at the committee room from time to time?—I might go once or twice.

1071. Did you have appointments made for you to go there?—No.

1072. Were you told to be at the committee rooms at particular times?—I used to go occasionally.

1073. Was that for the purpose of carrying messages, in case you were wanted to do it?—No.

1074. What did you go for?—To look on.

1075. Were you not told to come as you had done before, for the purpose of carrying messages?—No.

1076. Are you sure of that?—Yes.

1077. Did you see this mysterious man yourself, this Mr. Naylor?—No.

1078. Who first spoke to you about coming here; Mr. Gilbert himself?—No.

1079. Who was it then?—A man of the name of Kennard.

1080. What is he?—He is a carpenter.

1081. Does he work with you?—Yes.

1082. When did he first speak to you about coming here?—He spoke to me to go to see Mr. Gilbert.

1083. When was that; can you give a date for that? When did Mr. Gilbert come down to take any statement from you?—That I cannot say.

1084. Where did he come to you; to your workshop?—No.

1085. Where then?—To Landridge's.

1086. Who is he?—It is a public house.

1087. Did he make the appointment for you to meet him at the public house?—No, I went of my own accord.

1088. Who told you to go?—Kennard.

1089. A good many were there?—No.

1090. How many?—I do not know.

1091. Not by name?—I do not remember.

1092. There were several there?—I do not remember how many.

1093. You never had any sum at all, as I understand?—No.

[The Witness withdrew.

[Adjourned till To-morrow at Eleven o'clock.

Saturday, 14th April 1866.

HENRY HUSSEY VIVIAN, Esq., in the Chair.

The names of the Members were called over; all present.

Alfred Latham was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

A. Latham.
14 April 1866.

1094. What are you?—A jobbing bricklayer.

1095. Are you an elector of Reigate?—I am.

1096. Do you know a person of the name of Mitchell?—I do.

1097. Did you and Mitchell have some talk about the election?—Yes.

1098. Did you and he come to an understanding together?—Yes.

1099. After coming to that understanding, did you see a gentleman named Job Apted?—I did.

1100. Did you tell Job Apted what was understood between you?—Yes, I think I did. I believe I did.

1101. What did you tell him?—Well, I merely told him that Mitchell wanted me on Mr. Gower's committee, and I think that is nearly all, or quite.

1102. Did you mention any sum of money?—I did not.

1103. You are sure about that?—Quite sure about that.

1104. You did not mention money at all?—No money matters were mentioned, excepting that he was to be paid for his work.

1105. As a committee man?—As a committee man.

1106. Was a sum of money mentioned?—No precise sum of money was mentioned whatever.

1107. No

1107. No precise sum?—No.

1108. Was it put about how much?—No, it was not.

1109. What was said about money?—That we were to be paid for what we done.

1110. By the *Committee.*] That is what you would do?—Yes, exactly.

1111. Is Mr. Mitchell a voter?—He is.

1112. What do you mean by saying that you were to be paid for what you "done"?—We were all as canvassers, or messengers, or anything like that; and after the election was over, we were to be paid according to what we had done for Mr. Gower.

1113. Merely paid for the labour, not for voting?—Not in the least.

1114. Mr. Serjeant *Ballantine.*] There was no sum of money mentioned?—Not in my hearing, either to him or to me.

1115. Did you and Mr. Mitchell talk over any sum of money?—Possibly we might have done that.

1116. How much was it?

Mr. *Karslake* objected to the question.

1117. Mr. Serjeant *Ballantine.*] Let me ask you whether, after the election, you waited on Mr. Gower?—I did.

1118. Did you apply to him for anything?—Yes.

1119. What?—The balance of my account.

1120. Did you tell him how much?—Yes.

1121. How much was it?—£. 2. I had received 3*l.*

1122. And the balance of your account was 2*l.*?—Yes.

1123. That was for your work?—Yes.

1124. Did he give you anything?—He gave me a sovereign.

1125. Did he give you anything else?—Yes; I went to his house, and had some refreshment.

1126. He gave you some refreshment, you say?—He told me to go up to his house and get some.

1127. There was something else he gave you?—No. I had bread and beef, and beer at his house; nothing else.

1128. Did he not give you a note?—No.

1129. None at all?—No.

1130. Did you show anything to Mitchell?—No.

1131. Will you swear that?—I will swear that.

1132. He showed nothing to Mitchell?—He showed nothing to Mitchell.

1133. Did you go to Mr. Smith?—Not afterwards.

1134. Not after you had seen Mr. Gower?—No.

1135. You did not take a note to Mr. Smith?—No.

1136. Not any whatever?—Not any whatever.

1137. Did you take any note before you went to Mr. Gower?—No.

1138. Did you ever take a note to Mr. Smith?—I did not.

1139. And you never got anything from Mr. Smith, and took it to the bank?—I had a cheque for 3*l.* from Smith. That was the 3*l.* I told you about; when I took my account to Smith, he gave me a cheque for 3*l.*

1140. When?—After the election.

1141. When was it he gave it you?—I cannot remember.

1142. Before Mr. Gower gave you the 1*l.*?—Yes.

1143. You are quite sure about that?—Quite positive.

1144. He gave you a cheque for 3*l.*?—Yes.

1145. Were you with Mitchell then when he gave you that cheque for 3*l.*?—No.

1146. Did you show the cheque to Mitchell?—Yes.

1147. Did you go with Mitchell to the bankers?—No, I did not go to the bank with him; I saw him after I came out.

1148. And then you showed him the 3*l.*?—Yes.

1149. There was still 1*l.* due to you for your work?—There is at this present time.

1150. There is 1*l.* due?—There is 1*l.* due.

1151. What were you doing?—The first thing was I arranged with Mitchell.

1152. That was not very hard work?—No, but it took time.

1153. You have charged for your arrangement with Mitchell?—I have charged for various jobs.

1154. Was that one of them?—Yes.

1155. This 4*l.* was to pay for your trouble in arranging with Mitchell?—It was for other things as well.

1156. As you were to receive that from Mr. Gower or his agents, for the arrangement with Mitchell, I have a right to know what that was?

Mr. *Karslake* objected on the ground that it was no evidence against the sitting Member.

Mr. Serjeant *Ballantine* was heard in answer to the objection.

Mr. *Karslake* was heard in reply.

The *Chairman* said the Committee thought that the question was a proper one.

1157. Mr. Serjeant *Ballantine.*] What was the arrangement?—The only arrangement was this. When I first spoke to Apted about it, and promised him that I would vote for Mr. Gower, and have my name on the committee, he said "There is a man that I know well that has not promised either party, and I think he will be for Mr. Gower." The arrangement I made with him was, to go with me to Mr. Apted. Nothing was said about money, only like this. Of course it was very early in the election, and we expected to be on as canvassers or messengers, or something like that, and I said, "undoubtedly we shall be well paid for our work." Accordingly he went with me, after my going two or three times to see him. He went with me to Apted, and had his name put on.

1158. By the *Committee.*] About what time was that? How long was it before the election?—I should think it was five or six weeks.

1159. Mr. Serjeant *Ballantine.*] You arranged how much you were to get?—I did not.

1160. Not you or Mr. Mitchell?—I do not know what arrangement Mr. Mitchell made.

1161. That is part of your labour. Now tell us what was the next?—Then I had to take orders to the printers to get things printed.

1162. How often did you do that?—I did that twice; and I do not know that I did not three times.

1163. That did not take long?—No.

1164. What

A. Latham.

14 April 1866.

1164. What are you by business?—A bricklayer.

1165. Did not you go on with your own business?—Yes, I did so. In fact, I have got at this time 13 men at work for me, and I can attend to them and still go about and do these little jobs.

1166. Now we have got some of it; persuading Mitchell to be well paid——?—I did not have to persuade him.

1167. And taking out bills on all occasions; now give us something else?—There was another man.

1168. Give us another instance of your work?—Another man that I had to see, as a part of my work——

1169. What was he?—A neighbour of mine.

1170. Did you do your duty towards your neighbour?—Yes.

1171. How did you show it?—I will tell you. I arranged a meeting between him and Apted. He said he would not vote for either party unless he received 5 *l.*

1172. This is your neighbour?—That is my neighbour.

1173. What did Apted say?—He said he would not give it. He would not promise him a shilling.

1174. Which way did he vote?—I cannot say for certain. I believe he voted for Mr. Monson.

1175. What is his name?—Funnell.

1176. You did not charge Mr. Gower for getting votes for Mr. Monson?—I charged them as a portion of my work.

1177. What else?—I had to arrange about a booth.

1178. Where at?—On Earlswood Common.

1179. Was that where a little entertainment went on?—Yes.

1180. I suppose you were among those who enjoyed themselves?—I was outside.

1181. And in occasionally?—And in occasionally.

1182. That did not take you much time?—No.

1183. You think you got well paid, at all events?—I do not know; I have been paid better for less work at times.

1184. At former elections?—No; I never received a shilling for that before.

1185. This is the first time?—Oh, yes; it is the first time I have received anything.

Cross-examined by Mr. *Karslake.*

1186. This friend of yours voted for Mr. Monson?—I believe he did.

1187. Did you canvass him?—Yes.

1188. Did you try all you could to get him to vote for Mr. Gower?—Yes.

1189. Did you canvass others as well?—Yes.

1190. Several?—Several.

1191. I believe Mr. Gower went down as early as May, did he not?—He did.

1192. Did you hear the speech he made on the first occasion of his going down?—No.

1193. In what part of the year was it—in May was it, that you were spoken to by Apted?—I spoke to Apted first.

1194. When was that?—I think it was the beginning of June, or the latter end of May.

1195. In the beginning of June; had the committee-rooms been opened at that time?—Yes.

1196. At public-houses, the Town Hall, and so on; now, from the time you spoke to Apted, were you from time to time at the committee-rooms in case of being wanted; did you go there from time to time?—I was there every day.

1197. And were you ready to do anything that was required of you?—Yes.

1198. And did you devote a part of the time that you would otherwise have devoted to bricklaying, or go away in the evening after time?—Generally in the evening.

1199. Did you do that constantly for six weeks?—I charged for five weeks.

1200. Did you see a great many other men there also; did they go up from time to time?—Yes.

1201. Were they sent on messages also?—Yes, I believe so.

1202. Were some of the committee regularly sitting at these rooms?—Yes, generally; not every day.

1203. We know the election was on the 12th of July; how soon after the election was it that you applied to Mr. Smith to be paid for the services that you had rendered?—I believe it was in September; to the best of my recollection it was in September.

1204. You wanted 5 *l.*, and he only paid you 3 *l.*?—He paid me 3 *l.* on account.

1205. You have spoken of going up to Mr. Gower's house; how far is that from your house; is it 14 or 15 miles?—Yes, I believe it is.

1206. Did you walk over?—I rode by the train.

1207. When you saw Mr. Apted, when was that; was it about Christmas; at all events it was in the winter?—In November, I think.

1208. When you went up to Mr. Gower, did you find him out of doors, setting out a new road?—I did.

1209. Did he go to the house with you at all?—No, not at all.

1210. Was all your conversation with him out in the open air?—Yes.

1211. Was that about a mile from his house?—About that distance.

1212. If Mr. Mitchell has said that a note was written and sent by you to Smith, is that utterly untrue?—It is.

1213. When you went to Mr. Gower, did you say you wanted some more money for your services; that you had not been paid for the whole of them?—I did.

1214. Did he tell you that he had nothing to do with election payments, as they were left to Mr. Smith?—He did.

1215. And any claim that you had for payment for services must be settled by Mr. Smith?—Yes, he did.

1216. Did you tell him that you had come a long way over, and that you were in great distress as you had had a son recently died, and some children who had been, or were, in hospital?—I did.

1217. And did you say that you had been put to considerable expense, or to some expense, in consequence of that?—Yes.

1218. Did he tell you expressly when he gave you the 1 *l.*, that it was on that account, that he had nothing to do with any charges of yours for the election?—He did.

Re-examined

Re-examined by Mr. *Biron*.

1219. You say Mr. Gower told you that any further payment must be made through Mr. Smith?—Any payment for services must be through Mr. Smith.

1220. Did you go to Mr. Smith after this interview?—I have not spoken to him since. *A. Latham.* 14 April 1866.

[The Witness withdrew.

ALFRED BALCHIN was called in; and, having been sworn, was Examined by Mr. *Biron*, as follows:

1221. YOU are an elector of Reigate?—Yes. *A. Balchin.*

1222. What are you by trade?—I am a labourer.

1223. You voted for Mr. Gower at the last election?—Yes.

1224. Who canvassed you?—A man of the name of Chitty. Chitty and Durrant together. I do not know which was the head man. I know Chitty came to me.

1225. By Mr. *Karslake*.] Did he come with Durrant?—Durrant sent him. Durrant came to me first, and then he sent Chitty to me.

1226. Mr. *Biron*.] What did Durrant say to you?—He asked me which way I was going; and I said, "Well, I do not know. I shall go the same way as the other working men;" and then he sent Chitty to me, and Chitty came and asked me which way I was going. I said, "I shall go the same way as the other working men." He said, "Most of the working men are going that way;" that is, Mr. Gower's way.

1227. Did you get any money before the election?—Yes, Chitty brought me some.

1228. How much was it?—He brought me 1 *l*.

1229. By the *Committee*.] Before the election?—Yes.

1230. Chitty brought you that?—Yes.

1231. Mr. *Biron*.] And what afterwards?—He brought me 35 *s*.

1232. Was that also before the election?—No; that 35 *s*. was since the election.

1233. By the *Committee*.] When was that?—That is since the election. I would not say exactly; but I should think it was three or four weeks after the election. I never took any account of it.

1234. Mr. *Biron*.] Did you do anything before the election?—I was out one night.

1235. When was that?—That was on the South Park freehold.

1236. What were you doing there all night?—Helping in getting some poles, or one thing and another on the freehold, to get some flags up.

1237. Were you ever at the Barley Mow?—Yes.

1238. On how many occasions?—I never took an account of the number of times, but on several occasions.

1239. Were you there when Rose was there in the chair; Alexander Rose?—No, I was not when he was there.

1240. Who was in the chair when you were there?—I did not know any one.

1241. Were there other electors present beside yourself?—Oh, yes, a good many.

1242. Thirty or forty, perhaps?—Yes, quite that.

1243. Did you all have drink?—Yes.

1244. As much as you liked?—As much as we liked, any of us.

1245. Who paid for it?—I do not know who paid for it.

1246. You did not pay for it?—No.

1247. You were not asked to pay?—No.

1248. Were you the night before the polling, the night of the nomination, at Groom's house?—Yes, I was.

1249. That is a private house in the freehold district?—Yes.

1250. There were several voters there?—Yes.

1251. Did you, and Warren, and Truelove, and Goddard stay at Groom's the night of the nomination?—Yes, Goddard, me, and Warren stayed there.

1252. You were rather drunk?—Yes, we were in liquor.

1253. Did anything happen to your shoes upon that night?—Yes, my shoes were taken out of the room. I put them off to lay down a little while. I laid on the floor.

Cross-examined by Mr. *Karslake*.

1254. How long have you lived in Reigate?—Five years.

1255. You told us that somebody came to you, I think you said Chitty?—Yes.

1256. About voting?—Yes.

1257. Had you been canvassed on the other side?—No. I had not been canvassed by anyone before; not before Durrant came.

1258. Were you canvassed afterwards by Mr. Monson's supporters?—I do not know particularly about being canvassed. I was never asked to vote for anyone else.

1259. Did you get a sum of money from anyone on the other side?—They promised me six weeks' work, and they paid me for it.

1260. Was it 5*l*.?—Yes.

1261. Who promised you six weeks' work, and paid you for it?—Mr. Brown.

1262. Who was he?—A plasterer. That is all I know about him.

1263. Mr. Brown was very active for Mr. Monson?—I do not know anything about that. He is a plasterer, and has not got any vote. I never took any money for any vote. They promised me six weeks' work, and they paid me for it. They never asked me to vote.

Mr. *Biron* objected to the question on the ground that Mr. *Karslake* could not go into cross-examination, which was in the nature of recrimination.

Mr. *Karslake* was heard in answer to the objection.

The *Chairman* said the Committee were of opinion that Mr. *Karslake* was entitled to continue his cross-examination in the mode he was pursuing it.

1264. Mr. *Karslake*.] You received 5*l*. from the other side?—Yes.

1265. For services which you rendered?—Yes, They never asked me for my vote.

1266. What

A. Balchin.
——
14 April 1866.

1266. What did you do for them?—The same as the rest.

1267. Did you cut any poles?—No.

1268. What was it?—I tried to get some votes for them; anything they set me at.

1269. By the *Committee.*] Who was that; the other side, Mr. Monson?—Yes.

1270. Mr *Karslake.*] Who was the person that communicated with you in trying to get the votes for which you got 5 *l.*?—Brown.

1271. And James Apted; did you see him about it?—Yes, and he paid me the money.

1272. What is James Apted?—A pork butcher.

1273. I suppose he is the same person who signs himself as James Apted to this petition?—He might be.

1274. There is only one James Apted that you know?—Only one.

1275. The pork butcher?—Yes.

1276. He was out of the place for some time, was he not?—Not that I know of.

1277. You do not remember his running away from Reigate for some time?—Not since I have been at Reigate.

1278. He gave you 5*l.* for your services, which you had not done?—Yes, he paid me.

1279. Mr. Brown talked to you originally about it?—Yes.

1280. Was it for anything that you did?—Yes.

1281. You did what you liked, and asked for 5*l.*, and got it?—Yes.

1282. Before the election?—Yes, before the election; he said he would employ me five or six weeks.

1283. And you employed yourself five or six weeks in canvassing two or three people for Mr. Monson?—Yes.

1284. You never cut any poles, or did anything of that sort for the other side?—No.

1285. Did you attend the committee-rooms of Mr. Gower's committee?—Yes, I went to the Barley Mow several times.

1286. Did you take circulars for Mr. Gower?—No.

1287. Never?—No.

1288. Do you go errands for him?—No.

1289. Were you told to go up of an evening from time to time to see if there was anything to do?—No; I was only talked to, and asked to go down to the Barley Mow.

1290. How long before the election was 1*l.* paid?—I could not tell to a week.

1291. Who was with you the night you were cutting poles?—I never cut any. I took poles down in the morning.

1292. When did you do that?—I took them on nomination morning.

1293. I thought you said in the night?—That morning and night. I was out all night. I took the poles in the morning.

1294. What were you out doing all the night?—Looking after the votes.

1295. That is the night of the nomination?—Yes.

1296. Did you do that also on the next morning; were you looking after the votes?—Yes. I took the poles down in the morning.

1297. They were for flagstaffs?—Yes.

1298. Can you tell us nearer, how long it was after the time you were paid 35*s.*?—No; I could not tell you nearer than I have. I never took any notice at the time.

1299. You were paid 2*l.* 15*s.*?—Yes, altogether.

1300. £. 2 15*s.* on the one side, and 5 *l.* on the other?—Yes; I was paid that for labour only.

1301. The voters that you were looking after, were Mr. Gower's voters?—Yes.

Re-examined by Mr. *Biron.*

1302. About the 5 *l.* that you got from the other side, what did you do for that?—I did not do anything particular; they came to me, and said they would give me 5 *l.* if I would work for them for four weeks.

1303. Did you work for them for four weeks?—No, they never set me no job.

1304. You voted for Mr. Gower?—Yes.

1305. How did that come about?—They kept me there all night, and I went there along with them in the morning; I was took up with them.

Mr. *Karslake* submitted that this line of examination could not be gone into, on the ground, that if the question had been put in the examination in chief, it would have given him an opportunity of cross-examining upon it.

Mr. *Biron* was heard in answer to the objection.

Mr. *Karslake* was heard in reply.

The *Chairman* said the Committee thought the learned counsel should examine on any fresh matter only which had arisen in cross-examination, and it did not appear to the Committee that the question proposed to be put necessarily arose out of the cross-examination.

1306. By the *Committee.*] Where were you the night before the election?—At Mr. Groom's house.

1307. In whose company did you proceed from Groom's house?—I went in Wilkinson's company, in Mr. Gower's committee's company.

1308. Did you walk down from Groom's house to the poll?—No, they took me in a fly or in an open trap, whatever you choose to call it.

1309. Were you sober when you went?—I had a good deal to drink, of course; we had been drinking the most part of the night.

1310. Did you know whom you voted for?—Yes.

1311. Did you canvass for Mr. Gower, as well as for Mr. Monson?—Yes, I was only out that one night for Mr. Gower.

1312. Did you canvass anybody to vote for Mr. Gower?—No, I did not.

1313. Only for Mr. Monson?—Only for Mr. Monson.

[The Witness withdrew.

William Johnson was called in; and, having been sworn, was Examined by Mr. *Biron*, as follows:

W. Johnson.
——

1314. You are a cabinet maker?—Yes.

1315. Did you vote at the late election for Mr. Gower?—Yes.

1316. Before the late election did you see Mr. Gower canvassing?—Oh yes, many a time.

1317. Did you see any gentlemen canvassing with him?—I saw several.

1318. Was

1318. Was Apted one?—Yes, he was one.

1319. Frederick Joyce?—Yes.

1320. By the *Committee.*] That is Job Heath Apted?—Yes.

1321. Mr. *Biron.*] Thomas Buckland?—Yes.

1322. David Durrant?—I never saw him with him.

1323. Was Mr. Smith with them?—Oh, yes, several times.

1324. Did you see them canvassing?—Yes, they were canvassing several times, and there was another man, Mr. Thomas Dann; I have seen him with them also.

1325. Did you ever canvass with him?—I have not exactly canvassed with Mr. Gower, but I have shown him where several voters lived.

1326. You pointed out their houses, and so on?—Yes.

1327. Did you get any directions from Mr. C. J. Smith about canvassing?—Yes, I did.

1328. What directions did Mr. Smith give you?—Mr. Smith gave me directions to go to one place and canvass as many as I could; at least to two places.

1329. Tell us, what did he say about the first place?—He told me to go and try; there were two at Brickley; I was to try what I could get; I was to see if I could get them, to see Mr. Knight, and if he liked to come that he should have the same as the others.

1330. By the *Committee.*] Mr. Smith told you to tell Knight that?—Yes.

1331. Mr. *Biron.*] Do you know Frederick Joyce?—Yes.

1332. Did you get any other general directions from Mr. Smith as to canvassing?—He told me to canvass as many as I could, and refer them to Mr. Buckland; he mentioned them with the others; Frederick Joyce, or Job Heath Apted.

1333. Did he say how you were to canvass them?—He told me if they were willing, I was to refer them.

1334. And if they were not willing did he say anything?—I do not know.

1335. If they were not willing, did he give you any directions?—He told me they could have the same as the others; all those were to go in one class.

1336. Did he tell you to tell them that?—He told me that they could do that.

1337. Did he say anything about repaying you?—He told me I should be paid for what I did, and well too.

1338. By the *Committee.*] That is Mr. Smith?—Yes.

1339. Mr. *Biron.*] Did he give you any directions as to paying for beer?—He told me what I paid out of my pocket should be repaid to me.

1340. In what way?—For beer.

1341. Did you make payments?—Yes, several; He gave me one half sovereign.

1342. Mr. Smith did?—When I went to canvass Mr. Knight; but that was all the change he had got, or else he would have given me more.

1343. He gave you 10*s.* on the occasion that you went to canvass Mr. Knight?—Yes.

1344. Did you expend money out of your own pocket?—Yes.

1345. To what amount?—About 15*l.*, as near as I can tell.

1346. After the election, did you go to Mr. Smith for payment?—Yes.

1347. Did you make any demand on him for money?—Yes, I sent my bill, as I was told, to Mr. Buckland, to send in to Mr. Smith. *W. Johnson.* —— 14 April 1866.

1348. Do you remember the amount of your bill?—I forget exactly, but it was under the figure that was payable.

1349. Did you after that see Mr. Smith on the subject of payment?—Yes.

1350. What did he say to you?—Call again to-morrow.

1351. Did you call again?—Yes.

1352. What did he do on the morrow?—Said, "Call again."

1353. How often did that happen?—As near as I can tell about half a dozen times.

1354. At last did you get something out of him?—I had to write to Mr. Gower first.

1355. Did you not get anything before you wrote to Mr. Gower?—Only the half sovereign.

1356. Then you wrote to Mr. Gower?—Yes.

1357. When was that?—I cannot tell you the date.

1358. Was it in November?—Yes, I think it was; I will not say to a week or two.

1359. Did you get that reply from him (*handing a note to the Witness*)?—Yes.

1360. I will read this letter; it is dated Titsey Park, November 11, 1865,—"Sir, I am very sorry that you should have reason to complain about election matters; I have forwarded your letter to Mr. Smith, directing his attention to it; I cannot, as you must be aware, go into these questions myself; they must be transacted through my agent; I am perfectly well aware of the interest you took in the election, and of the assistance you were kind enough to give me.—Yours faithfully, Granville Leveson Gower." After receiving that letter did you go to Mr. Smith?—Yes.

1361. Did you again ask for payment?—Yes.

1362. Then did he pay you anything?—Yes, he paid me 3*l.* on account.

1363. Did he say anything about the balance?—He told me he could not say anything about it till he had seen Mr. Gower, but he thought I might as well not have wrote to him.

1364. Did he tell you when you should be paid the balance?—He said it is quite uncertain, but he thought it would be after Mr. Gower took his seat.

1365. Do you know Mr. Gower's private committee-room?—Yes.

1366. Where was that?—At the Town Hall, Reigate.

1367. Were you at the old Town Hall at any meeting?—Yes, seven or eight; perhaps more; I cannot say to one or two.

1368. Do you remember being at a meeting at the old Town Hall when Mr. Gower was present?—Yes.

1369. Did you hear him say anything on that occasion about payment?—Yes.

1370. What was it he said?—About the payment of what?

1371. About the payment of the electors?—All that worked should be paid, and well too.

1372. Was there a room set apart for a private committee-room?—Yes.

1373. Was that at the old Town Hall?—Yes.

1374. Have you seen anybody go into that room?—I have seen several.

1375. Who were they; just give me their names?—I can give Frederick Joyce, Buckland, Job Heath Apted, Thomas Dann, David Durrant,

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rant, Mazden—I forget his Christian name—Penfold, and Rose, and several others that I cannot recollect.

1376. David Durrant—do you remember seeing him there?—Yes.

1377. By the *Committee.*] What is the date that you went to this room?—I cannot tell; I never kept an account of the dates.

1378. Mr. *Biron.*] Was it before the election?—Yes, it would be the month before the election.

1379. By the *Committee.*] That would be June?—June, the early part of the month.

1380. Mr. *Biron.*] Have you seen Mr. Smith go into that room?—Oh yes, several times.

1381. Mr. C. J. Smith?—Yes.

1382. Have you seen Mr. Gower himself go in?—Yes, several times.

1383. Do you remember being present in the committee-room when Mr. Smith gave some instructions to a man of the name of Stevens?—I was in the private committee-room at the White Hart when he gave them.

1384. You were there?—I was there the morning of the election.

1385. The morning of the poll?—The morning of the poll.

1386. Was Mr. Smith there?—Yes.

1387. Was Edwin Stevens there?—Yes.

1388. Did Mr. Smith say anything to Stevens?—He gave him orders to get some rosettes.

1389. Did he go?—Yes.

1390. And bring them back?—He did not bring them into the committee-room; I saw him give them away before he got into the committee-room.

1391. He had them and gave them away before he got into the room?—Yes.

1392. Did you see Job Apted?—I saw him on the nomination morning.

1393. Had he got rosettes?—He had got ribbons cut into pieces, and was giving them away.

1394. Do you remember the meeting at Earlswood Common?—Yes, very well.

1395. You were there, I believe?—Yes.

1396. Did you see Mr. Gower there?—Yes.

1397. Did you hear him say anything?—I cannot speak much as to what he said, only towards the latter part.

1398. As he was leaving did you hear him say anything?—Yes.

1399. What did you hear him say?—That was after the meeting was finished, he said he hoped everyone would enjoy himself and go home quietly.

1400. At Earlswood Common was there any drinking going on?—There were a few glasses about; it came by bushels; not much for the quantity that were there.

1401. It was a numerous meeting?—Yes.

1402. After the Earlswood Common meeting, did you go back to the town?—Yes.

1403. Where did you go?—I went home.

1404. After that did you go to Terrill's beer-house?—I went there before I went home. Terrill's house was close to the place.

1405. You went there after Earlswood Common?—Yes; I ought to give an explanation of that; the booth was within 100 yards of Terrill's, and we considered that as the meeting, because we had got our orders to go there for the refreshment.

1406. Who gave you the orders?—There were too many to mention, almost; there was Penfold, Mazden, Job Heath Apted, Buckland ——

1407. You say they gave you the orders?—Yes.

1408. To go to Terrill's for refreshment?—Yes.

1409. At Terrill's were any of the men you mentioned there?—They came in and out there all the time.

1410. Besides yourself, were there other voters?—There were a few hundreds of them, I think, there.

1411. Voters?—Yes, as near as I could get; I think there were a good many that were not voters.

1412. Did you have beer there?—I had three or four glasses; we had it in pots, we could not get glasses.

1413. You had parts of some pots?—Yes.

1414. And the other electors, were they obliged to drink out of pots too?—Yes.

1415. Did they drink a good deal out of pots?—It came up as fast as they could bring it out.

1416. Do you know who paid for it?—No.

1417. Did you pay anything?—No, not there; I had got no money in my pocket that night.

1418. You do not carry money about with you at election times?—I do sometimes; I had not got any that night.

1419. Did you see any of the other electors pay for it?—I saw no one pay for beer, because it was told to me that it was not to be paid for; it would be made all right after.

1420. Who told you that?—Job Heath Apted for one, told me that it was arranged.

1421. Do you know Charles Locock?—Oh yes, very well.

1422. He lives in West-street?—Yes.

1423. Is he an elector of the borough?—Yes.

1424. Did you see him get any money?—I did not see him get any money.

1425. Did you see him with money, with a cheque?—I did not see him with a cheque.

1426. Do you know which way he voted?—Yes, for Mr. Gower.

1427. I must take you to another public-house; do you remember going to the Railway Inn?—Yes.

1428. When was that?—It was a few weeks before the election.

1429. Were there a lot of electors there?—Not above 50, I think.

1430. Was Job Apted there?—Yes.

1431. Was Thomas Buckland there?—Yes.

1432. Alexander Rose, was he there?—Yes.

1433. Was that one evening?—About eight o'clock in the evening.

1434. On that occasion, Rose was in the chair?—Not in the room where I was.

1435. Who was in the chair in the room where you were?—I could not call to mind, but I think I was in the vice chair.

1436. Did they have anything?—Anything that anybody would like to have; there was one drink that was very partial, that was ginger-beer and ale; and there was another, that was ginger-beer and cyder; with the cider and ginger-beer they thought to improve it by having gin in it.

1437. Was a good deal of that drunk?—I should say 20 or 30 quarts of it.

1438. Who paid for that?—That I cannot say, because it was left to be put down to the account.

1439. You did not pay?—Yes, I paid for a penny biscuit.

1440. Do you remember a meeting at Holt's public-house?—Yes.

1441. What

1441. What is the name of his public-house?—I think it is the Pigeons or the Doves; I forget it exactly.

1442. Do you remember a meeting there?—Yes.

1443. When was that?—I cannot say; it was a little before the election; I never kept an account of the dates.

1444. Was it a week or so?—Quite a week.

1445. It may be a little more. At Holt's were there a lot of electors?—Yes.

1446. How many?—Two rooms full; I should suppose about 50 or so.

1447. Did you drink there?—I did not stop with them, only till 10 o'clock.

1448. What time did you begin?—About seven.

1449. From seven to 10 you stayed. When you left, were there a good many left?—I left them.

1450. Was there drink that night?—Yes, plenty of it.

1451. Who paid for it that night?—That I cannot say; they got orders for it.

1452. You did not pay, at all events?—No, not a halfpenny.

1453. Do you remember later, or nearer the election time, going to Thatcher's beer-house?—I should tell you we had plenty of bread and cheese there.

1454. You had not to pay for your biscuit there?—No.

1455. At Thatcher's beer-house, was that later on?—Yes, I think it was the following night.

1456. Is his house at Reigate Hill?—Yes.

1457. Was there a meeting there?—Yes.

1458. How many were there that night?—I cannot say, because the room was full, and there was so many outside.

1459. Was Rose at Thatcher's that night?—Yes, he was stuck in the chair.

1460. Did you have drink there?—Yes.

1461. And the roomfull had drink?—Yes.

1462. And those outside, did they have drink?—Yes, gallon after gallon, only it was brought in in pots, that was all.

1463. Were there cigars there and tobacco?—I think there were two or three boxes; I do not know how many.

1464. Do you know who paid that night?—I cannot say who paid; I did not enquire; I did not pay.

1465. Did you hear Rose say anything about paying?—Rose said it was all right, he had arranged for it, and perhaps another thing, he said that Apted told him to arrange for it, that is Job Heath Apted, the leather currier.

1466. Were you also present at the Black Horse, at a meeting?—Yes, I think I was.

1467. Was it two or three days before the election?—That was the night before the writ came down; I cannot think about the date.

1468. Was Job Apted there, at the Black Horse?—Yes.

1469. Was Frederick Joyce?—Yes.

1470. Alexander Rose?—Yes, he was in the chair.

1471. Were there a lot of voters there?—Yes.

1472. Who was in the chair?—Rose was in the chair.

1473. And who was in the vice-chair?—Robert Legg.

1474. And Apted was there?—Job Heath Apted; he proposed Mr. Rose for the chairman.

1475. Did you hear Apted say anything that night?—Yes, I heard him say a good many things.

1476. About the meeting; did he say anything about that?—He said it was the last meeting we should have before the writ was down; and so we stopped these kind of meetings, but not that Mr. Gower wanted the voters to go without anything to drink, but still, that it was to be carried on in a more quiet manner.

1477. Did he say why it was that it was to be carried on more quietly?—He said he knew that the other party would make out a petition against him if they could.

1478. Did he say anything about the writ?—The night before the writ came down, he said the writ was coming down the following morning, so that was the reason that we were to knock the job off.

1479. Knocking off the drinking job?—Yes.

1480. On that night did you see anyone order any drink for the electors?—Yes, a good many.

1481. Who were they; who gave the orders?—Rose, Apted, Joyce, Legg, Ede, and William Johnson.

1482. Is that yourself?—Yes.

1483. Did you pay for anything that night?—No.

1484. That was a capital drink?—No mistake about it; they swore they would go the whole hog that night, and they did do it.

1485. By the *Committee.*] That was the last night?—That was the last night before the writ came down; that was not the last drinking night; that was the last that we had got the privilege, an open night.

1486. Mr. *Biron.*] That night, where was it you were; at the Black Horse?—Yes.

1487. They drank everything in the place, did they not?—No, there was some left in the cellar the next morning.

1488. Did they drink out the lemonade?—Yes.

1489. Did they put brandy into it before they drank it?—Oh yes.

1490. How about the soda-water, how did they drink that?—We had to have that after the other was done, because they had got neither ginger-beer nor lemonade, so that we were forced to take that; some of them grumbled about it.

1491. On that night did you see Job Apted pay anything?—Yes.

1492. What?—I cannot tell how much.

1493. Whom did he pay it to?—The landlord; I forget his Christian name; he is rather hump-backed.

1494. Frederick Joyce, was he at this meeting?—Oh yes, he was there.

1495. Was a man of the name of Pitt there?—Yes.

1496. What is his Christian name?—David.

1497. Did you see Joyce speaking to him?—Yes.

1498. After Joyce spoke to him, where did they go?—Outside; they had something to drink before they went.

1499. And then they went outside?—Yes.

1500. How long were they out?—I cannot tell, because I was busy inside; perhaps five or ten minutes; I know it was over five minutes.

1501. After they came back, did Joyce say anything to you?—Yes.

1502. What did he say?—He said, "I have made it all right; I am astonished at Pitt; I did think he was square, but he wanted buying the

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the same as the others; he wanted a fiver I had promised him, and more if I could get it."

1503. The next morning did you see Joyce?—Yes.

1504. Did he say anything to you about having made payments the night before?—Yes.

1505. What was that?—He said it had come to more than he expected; he thought there had been a good bit of drinking going on, and it was rather more than he expected to pay.

1506. Did he say what they had paid?—He says, "After what we have paid we got about 4 *l.* 5 *s.*;" I know it was something near, to a shilling; I have good reasons to know pretty near what it was.

1507. Did he tell you what he had already paid?—About 2 *l.*; he said that they had left about 2 *l.*

1508. Did he say who the "they" were?—Him and Job Apted together.

1509. And that they had to pay how much more?—Somewhere about 4 *l.* 5 *s.*; I think there were some coppers put down to give it a sort of appearance, to make it look something like more respectable.

Cross-examined by Mr. *Karslake.*

1510. What do you claim, 100 *l.*, or what?—As much as ever I can get.

1511. What have you claimed; you have only got 3 *l.*; what is your claim?—There was no agreement as to the price.

1512. What do you want?—I had not finished the statement I wanted to make.

1513. What do you want to say; is it as to some more cyder and beer?—I had quite sufficient.

1514. What more do you want to say; you had 3 *l.*, and that was all you could get?—Yes.

1515. What more do you want?—To make up for the time and what was laid out.

1516. How much do you want?—I should consider that I want about another 20 *l.*

1517. You would like to have it, but that is what you cannot get?—Yes.

1518. And so you told the other side all these things?—Yes, I did.

1519. When did you go and tell them?—I cannot tell you what the date of that was.

1520. Had you made a good deal more statement which you were disappointed in not being asked about?—Yes, a good deal.

1521. Did you make all these statements to Mr. Gilbert?—Yes, partly to him.

1522. Who else did you make any of the statements to?—I think it was all to Mr. Gilbert.

1523. Did Mr. Naylor of Parliament-street call upon you?—No.

1524. Did you see him?—I saw him; I think there was a Mr. Hamlin.

1525. He keeps a public-house in Shoreditch?—Yes.

1526. Who came; Mr. Naylor of Parliament-street and the man in Shoreditch too came down to you?—I saw him.

1527. When was it?—After Christmas.

1528. Was it a different public-house?—Would it do for me to tell you where I saw him first?

1529. Whenever you like?—I saw him making water.

1530. Were you in the habit of seeing him?—That was the first time I saw him.

1531. When after that did you see him?—I saw him walk across to the public-house.

1532. How long was he at Reigate altogether?—I don't know.

1533. Did he leave a card with you representing himself as Mr. Naylor of Parliament-street?—No, not at all.

1534. Did he have any talk with you?—He shook hands with me, and said "How do you do?"

1535. Were you not surprised at that?—No.

1536. You had not been introduced to Mr. Naylor before?—I was introduced to him directly after.

1537. Who introduced you to Mr. Naylor; was it Mr. Monson?—I don't know what his name is; I recollect it was a man with a crutch.

1538. He gave you a name at the time, I suppose?—No, I do not know him.

1539. Was he a voter of Mr. Monson; was he one of Mr. Monson's agents?—No, not at all.

1540. What is he by trade?—I don't know him.

1541-2. Do not you know what the man with the crutch is?—No, I don't.

1543. He did introduce Mr. Naylor to you?—He did not introduce him as Mr. Naylor; he says to me, "There goes an electioneering man."

1544. And upon that did you go at once and make his acquaintance?—Yes.

1545. And you shook hands with him?—Yes.

1546. And did he pretend to be an agent of Mr. Gower?—I never heard him say so.

1546.* Did he make an appointment with you to go and receive your 20*l.* at some inn?—No, I wish he had; I would not have taken promises.

1547. What did you see of Mr. Naylor after this when you first introduced yourself to him?—I went and showed him where a few of the voters lived.

1548. And you went with him to them?—No, I did not.

1549. Who did you take him to?—I showed him where they were, that was all I did.

1550. Have you seen him since that time; how long ago is it since you have seen him?—I have seen him very lately, I shook hands with him only half an hour ago.

1551. Had you seen him in Shoreditch?—No.

1552. Can you tell me what is the name of the public-house there?—I cannot tell you that.

1553. How did you find out that his name was Hamlin, and that he lived in Shoreditch?—He told me.

1554. Did he tell you how he came to put Mr. Naylor, of Parliament-street, forward?—No.

1555. Where was it you saw him half an hour ago, when you shook hands with him?—Just out in the hall, or the gallery, whatever you call the place.

1556. Who was he with; was he with the agent?—No, he was sitting on a seat.

1557. Who was with him?—No one, he was sitting there by himself.

1558. Was there no one talking to him?—No, he was sitting alone reading a paper.

1559. Was he there yesterday too?—Yes.

1560. When did he tell you that his name was Mr. Hamlin, of Shoreditch?—I cannot remember the day.

1561. Was it before you came up to town?—Yes.

1562. Was it some time when you were at Reigate?—Yes.

1563. Did

1563. Did you tell him that you were coming as a witness?—No.

1564. How did he let you into the secret that his name was Hamlin, of Shoreditch?—I do not know.

1565. He took a fancy to you?—I suppose so.

1566. What caused him to take a fancy to you?—I do not know; good looks, I suppose.

1567. There was an appearance of honesty about you which he liked?—I suppose so; something of the sort.

1568. Three pounds you got, and you got no more money after that?—I am sorry to say I did not.

1569. Did you canvass a good deal for him?—I did.

1570. How long were you so engaged in canvassing?—I cannot tell to a week or two; I think it was somewhere from six to eight weeks.

1571. Mr. Gower first addressed the electors in May, did he not?—I will not be sure about the time exactly.

1572. Were you present when he first came down there, and addressed the electors?—Yes.

1573. Were you engaged in canvassing?—Not at that time.

1574. You say it was soon after Mr. Gower came down to address the electors in the first instance, that you began to canvass?—Yes, it was.

1575. How many weeks were you actually engaged in active canvass before the election?—About seven weeks; I think seven or eight weeks; I cannot say exactly to a week or two.

1576. Were you pretty constantly engaged among the electors during that time?—Yes.

1577. Had you also anything to do with making arrangements as to cabs and conveyances and different things of that sort?—No; I was with a cab on the polling day.

1578. Was it a cab that had been engaged to bring electors up to the poll?—Yes.

1579. Now a word or two about the booth that was erected; was it not a general meeting of all classes at Reigate?—Them that liked to go.

1580. There were persons of all sorts of opinions there; it was not any particular party?—It was told to us that it was for a meeting of Mr. Gower's people.

1581. Mr. Gower was going to address the electors on Earlswood Common?—Yes.

1582. Did he go away shortly after he had addressed the electors?—Yes, he went away very shortly after.

1583. Did he say he wanted to be up here in the House of Commons, and went away almost immediately after?—No; I did not hear the words that were used.

1584. How long after he left did you continue there, as well as the other people?—I cannot say how long; about half an hour, perhaps.

1585. Was any attempt made to pull down the tent that had been erected on that occasion?—No.

1586. Do you know that persons were there to prevent it in case any such attempt was made?—No.

1587. I do not know whether it is the fact—Mr. Gower wrote and said he was aware of the assistance you had rendered; did he see you from time to time canvassing, and did you make reports of your success?—Yes.

1588. Had you much success?—They all wanted coin, and I could not give it them.

1589. You went on canvassing and doing the best you could?—Yes.

1590. Can you fix any dates more nearly for those different times that you were at the public-houses?—No; I never kept an account of the days.

1591. You cannot give me any dates?—No, not at all.

1592. Neither at the Barley Mow, nor at the White Hart, nor at any of these places?—No, not at all.

1593. By the *Committee.*] Did Mr. Hamlin pay you anything for your trouble?—Not a halfpenny.

1594. How much are you actually out of pocket?—I know I must be about 20*l.* out of pocket.

1595. I thought you said about 15*l.*?—Reckoning the time.

1596. You consider you are 20*l.* out of pocket?—Yes.

1597. For money advanced, I mean?—No; that would be about 12*l.*

1598. You received 3*l.*, did you not, and that did not include the ten shillings you took in your pocket when you went to see Knight?—No; I spent more in addition to it.

1599. You gave this little party at the Black Horse at your own expense?—No, that was not my party.

1600. You spent 15*l.* out of pocket, which you have not got?—Yes.

1601. Independently of that party?—Yes.

1602. £12. 10*s.* would be the balance?—Yes, besides time employed and neglect of business.

1603. Did Mr. Smith object to the amount of your bill?—Not at all.

1604. Then you worked for nothing?—I expected something.

1605. You have not got anything on that account?—I got promises.

[The Witness withdrew.

Mr. *Karslake* asked the Committee to allow him to have a few minutes' conversation with Mr. Gower, to which the Committee assented.

Mr. *Karslake* then left the room with his clients; and, upon returning shortly afterwards, said he had heard from his friend Serjeant Ballantine, that he had now given all the evidence he intended to give for the purpose of proving that the sitting Member was in any way implicated in any of the improper practices that had been suggested at the last Reigate election. At the conclusion of the proceedings yesterday, and again this morning, they had considered the evidence that had been laid before the Committee with reference to acts that had been committed by persons in the position of agents, which it was impossible to justify; it would therefore be useless any further to occupy the time of the Committee by going on with other cases of a similar character. His client must therefore submit to the penalty created by such acts, although unauthorized by him; all that he desired was, to call Mr. Gower, who would state to the Committee on oath that he had taken no part personally in

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in any of the acts of bribery or treating that had been proved; that they were committed without his knowledge or sanction; that he entirely disapproved of such practices, and that they had been done contrary to his wish, and against the express instructions that had been given by him before the election.

G. W. Granville Leveson Gower, Esq., a Member of the House, having been sworn, was Examined by Mr. *Karslake*, as follows:

G. W. G. L. Gower, Esq., M. P.

1606. You were a candidate at the last election for the Borough of Reigate?—Yes.

1607. I will just ask you only a question or two about that which was suggested, but which was not proved. I believe the question was canvassed as to whether you were bound by any pledge that you had given, and you explained what took place about that: at a meeting of the electors it was resolved by a large majority that you should stand?—Yes; I explained that my engagement only bound me during Mr. Wilkinson's lifetime.

1608. Was your canvass commenced, or did you present yourself to the electors as early as May?—I think it was about the end of May.

1609. And you addressed the electors?—Yes, I addressed them in the Town Hall at Reigate.

1610. From first to last, was any committee-room opened in any public-house, with your sanction or knowledge?—No; I stated at a public meeting that I would not engage a single committee-room at a public-house, and that I would not address any meeting of electors at any public-house in the district; I engaged the Old Town Hall at Reigate, the Market Hall at Redhill, and the schoolroom at Earlswood; and those, to my knowledge, were the only committee-rooms that were engaged.

1611. We have heard about the persons calling themselves the committee going to the White Hart and the Wheatsheaf and giving beer away; had you any personal knowledge of that being done?—No, that was done entirely without my knowledge or sanction; and I took pains during the progress of the election to inquire whether any of these things were going on, and I was positively assured that they were not.

1612. You had an extensive committee; did you on more than one occasion state to them personally, that if anything of that sort was allowed to go on, you should retire at once?—I did; I should mention that, I think it was about the middle of the election, some of my agents came to me, and stated that they were not satisfied with the prospects of the election, and they wished me to engage more canvassers and messengers; this I refused to do. I stated that if they would conduct the election entirely on fair and proper principles I would go on to the end; or I said I would give them this alternative, that I would go away from the contest altogether, unless they would engage to conduct the election on these principles.

1613. As far as you knew, at the time of the election, were things going on in accordance with the instructions which you had given?—To the best of my knowledge they were.

1614. I believe at the election you had a considerable majority?—I had.

1615. Had you canvassed most of the electors yourself personally?—During the election, I believe I saw the greater number of the electors myself personally.

1616. Had you promises made to you which satisfied you that, if they were kept, you would have a large majority if you went to the poll?—Yes.

1617. We understand that on the day of the election, Mr. Monson was proposed by Mr. Richardson, and Mr. Richardson in his turn was also proposed as a candidate?—Yes.

1618. I do not think we have had the numbers of the polling given as yet: perhaps it will be convenient to have them; the majority in your favour I think was 197?—It was.

1619. Mr. Richardson polled 11 votes?—Yes.

1620. The numbers were, for Mr. Gower 473, and for Mr. Monson 276?—Yes.

1621. And had the promises that had been given to you before the election led you to expect a result of that sort?—Yes; I was lead to expect that I should have a large majority.

1622. There have been two or three cases mentioned (Beale's was one, App's was another, and Latham a third) in which it is suggested that you did something which might implicate you personally; first of all, let me ask, you with reference to the case of Latham, did you hear the statement that he made to-day?—Yes.

1623. Was it the fact that you were engaged in laying out a road on your property at the time he called upon you?—It was.

1624. Was he right in saying that no note was given to Mr. Smith?—Yes, he is right.

1625. But wrong in saying that a note was given by you?—It could not be so, because it was in the middle of the day; I was engaged in laying out a road, and I never went home with him at all.

1626. On that occasion did you refuse to give him any money for services which he alleged he had rendered?—Yes.

1627. Did he represent to you the distressed state of his family; that he had had a son who had not long died, and that his children were in the hospital, and did you give him 1*l.* as an act of charity?—Yes; I gave him a sovereign, and I should not have given it to him on any other condition, but he represented to me the distress of his family, and the expense he had been put to in consequence.

1628. Did you tell him anything to that effect on giving it him?—I said exactly what he told you when he was in the box, that I told him that it had nothing to do with the election; it was simply in consequence of the statement he made to me about the distressed state of his family.

1629. Can you fix the date of that?—I believe it to have been the beginning of December.

1630. There was a man of the name of Beale, one of the first witnesses, who spoke about your having canvassed him; a carman, who said that he was canvassed?—The case of Beale was the one that the learned Serjeant opened in his opening speech; with your permission, I would wish to explain the case of Beale.

1631. He said on the Saturday before he saw you and Joyce, and you spoke to him, and after a discussion between us as to the form in which the question should be put, he said he thought you

you looked at one another; did you give him any promise at all, directly or indirectly, or any reason to expect that you were going to give him anything for his vote?—I do not recollect the circumstance that was alluded to, and when the man came into the box I did not even recollect his face; in the next place, I assert positively that I never, by gesture or anything else, ever gave him any reason to suppose that I would give him anything for his vote.

1632. The other case was that of a man with a water-cart, Apps, who said he was in the employ of a person called Holdsworth; I think that was the name; do you remember seeing that man?—Yes, I canvassed him on several occasions.

1633. We know he did not vote?—I believe not.

1634. Did you ever, directly or indirectly, make any promise to him for the purpose of influencing his vote?—Never; and towards the end of the election, when I was asked to canvass him again, I positively refused to do so.

1635. Did you say to him, or did anybody in your presence say to him, that he had better promise his vote to you; not to mind about a water-cart or any employer, for if he was turned out of one employment there would be plenty of others for him?—I never heard such a statement made.

1636. The only other case in which it is at all suggested that anything of the kind took place is the case of Johnson; with regard to that Mr. Johnson, he has spoken, as some of the other witnesses have, of the meeting on Earlswood Common?—Yes.

1637. About what period of the canvass was that?—I think that was towards the end of June; I think it was the beginning of July.

1638. I believe there was some particular engagement that you had in town on that occasion?—It was the night when the subject of the Lord Chancellor was being discussed, and I had to catch the 11 o'clock train at Redhill to get up to town.

1639. On that occasion was there a large meeting of all classes on the common?—Yes.

1640. Did you address the electors?—Yes.

1641. And did you then leave the meeting, stating what your reason was for going away?—Yes.

1645. Had you any knowledge of any treating going on in any of the public-houses?—I had not; and I may state that one principle object I had was to avoid public-house meetings. There are a number of electors at Earlswood Common, and it was said it was desirable that I should see them. I wrote to the clergyman and asked him to lend me the schoolroom for the purpose. He replied that he did not think it was proper to make a school-room a place for political meetings, and therefore he must decline my request. That being the result of my application, I had an open air meeting, but I had no knowledge that subsequently to that meeting there would be any entertaining the people in public-houses; and with regard to Johnson's statement that I said I hoped they would enjoy themselves, and then go home, not only have I no recollection of such a thing, but I positively deny having said anything of the sort.

1643. You had not any notion that beer was going to be distributed free of expense to electors or non-electors?—None.

1644. But I understand that you left the meeting as soon as you had done your speech?—Yes, I went up to London. There was one statement made by a witness with regard to which I should like to give an explanation, and that was this: Johnson stated that at the public meeting I had said that all those who worked for me would be paid, and well paid too. I wish to explain to the Committee what my statement was. When I addressed this public meeting at the Town Hall, I said I would not have all these messengers and canvassers that they required. The meeting was not satisfied with that statement. Some of them came to me afterwards and said, "We have been working for you all this time; are we to understand that we are to have nothing for it?" I answered that all those who have worked for me will be paid for their work.

G. W. G. L. Gower, Esq. M. P.
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1645. It is an extensive borough; it lies very wide?—Yes, a country district; I cannot tell you what are the limits of the borough.

1646. For the purpose of any election there, active canvassers would be absolutely necessary?—Yes.

1647. We have heard of these men who are said to have been present when beer was given away—Apted, Buckland, and the other persons whose names have been mentioned; had you any knowledge whatever of their carrying on those practices during the time you were the candidate for the election?—Not the least; and I may mention that during the number of times I have met my committee in the Town Hall and in the schoolroom, I never saw an instance of any person present being drunk, nor at the polling booths; I was at the polling booths during the whole of the day; I never saw an elector come up to the poll drunk, and therefore my belief was that these practices were not carried on.

1648. Your place, I believe, is about 14 miles from the borough; is that so?—I am 12 miles from Reigate.

1649. You used generally to come over from your place for the purpose of canvassing?—I lived a great part of the time at the White Hart Hotel, during the time this was going on.

1650. I do not know that there is any other statement that you have to make on the subject?—I think not.

[The Witness withdrew.

Mr. Serjeant *Ballantine* said, that when he had the honour of opening this case to the Committee, although he felt it his duty to call attention to the circumstances under which Mr. Gower became a candidate at the last election, he then stated in express terms that although he had a strong impression that Mr. Gower was not justified in availing himself of the means that had been adopted to secure his election, he assumed that Mr. Gower personally had acted fairly and conscientiously in what he had himself done. He would not say anything further as to that. With regard to those matters as to which Mr. Gower had on his oath contradicted the statements made by the witnesses, he did not think it incumbent upon him to ask Mr. Gower a single question. With regard to the other matters that had been proved before the Committee, after what

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what Mr. Karslake had said with perfect fairness and propriety, it was not necessary for him (Serjeant Ballantine) to offer any observation.

The committee-room was cleared.

On counsel and agents being called in, the Chairman said he was instructed by the Committee to say that the course taken by Mr. Gower was a most proper one. They also felt it right to state that they considered him personally exonerated from any charge of bribery or treating, and begged to thank him for the honourable and straightforward manner in which he had given his evidence. The resolutions which the Committee had come to were the following:—"That George William Granville Leveson Gower, Esq., was by his agents guilty of bribery and treating at the last election; but that such bribery and treating were without the knowledge or assent of the said Mr. George William Granville Leveson Gower. That Mr. Gower is not duly elected a burgess to serve in this present Parliament for the Borough of Reigate. That the last election for the said borough is a void election. That it has been proved to the Committee, that George Charles Beale received a bribe of 1*l.* from C. J. Smith, the authorized agent of Mr. Gower, with a promise of further payment, on account of having voted for Mr. Gower. That Josiah Ede was bribed by a promise of 5*l.*, paid to him by Alexander Rose, to vote for Mr. Gower, and was subsequently paid 2*l.* by Frederick Joyce on account of having so voted. That John Farrington was bribed by a promise of 5*l.*, paid to him by Frederick Joyce, to vote for Mr. Gower, and was subsequently paid 3*l.* by Frederick Joyce for having so voted. That James Peters was bribed by a promise of 4*l.*, paid to him by Job Apted, to vote for Mr. Gower, and was subsequently paid 2*l.* by the said Job Apted for having so voted. That James Bonny was bribed by a promise of 5*l.*, paid to him by Alexander Rose, to vote for Mr. Gower. That James Hall was bribed, by a promise of money made to him by Job Apted, to vote for Mr. Gower, and received 30*s.* for having so voted. That Alfred Latham was bribed by a promise of money, made to him by Job Apted, to vote for Mr. Gower, and was subsequently paid 3*l.* by C. J. Smith for having so voted. That William Johnson and other witnesses proved that an extensive system of treating prevailed at the said election, and that corrupt practices prevailed extensively at the last election for the said Borough."

REIGATE ELECTION.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

REIGATE ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
17 *April* 1866.

191.[4]

Under 8 *oz.*

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

RYE ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
26 *April* 1866.

Wednesday, 18*th April*, 1866.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Town and Port of Rye:

Sir Andrew Agnew.	Sir Frederick William Heygate.
The Hon. D. F. Fortescue (Andover).	Henry Christopher Wise, Esq.

THOMAS WILLIAM EVANS, Esq., Chairman.

Thursday, 19*th April*, 1866.

Ordered, THAT the Petition relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Eleven of the Clock.

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REPORT.

RYE ELECTION COMMITTEE.

Tuesday, 24th April, 1866.

THE HOUSE informed, that the Committee had determined,—

That Lauchlan Bellingham Mackinnon, Esq., is duly elected a Baron to serve in this present Parliament for the Town and Port of Rye.

The House further informed, that the Committee had agreed to the following Resolutions :—

That Thomas Bourne was bribed by the payment of 5 *l.* and 1 *l.* from Robert Hord for his vote.

That two letters, containing 5 *l.* each, were sent about the time of the Election to Samuel Lennard for the purpose of influencing his vote.

That it was not proved that such bribery was committed with the knowledge of the Sitting Member or his Agents.

That the attempt to prove that the Rev. William Brocklebank was bribed by a promise of an appointmment for his son by the Sitting Member was entirely unsupported by evidence, and is frivolous and vexatious.

That the attempt to prove that George Jenner was bribed by a promise of an appointment for his nephew by the Sitting Member was entirely unsupported by evidence, and is frivolous and vexatious.

That there is not reason to believe that corrupt practices have extensively prevailed at the last Election for the Town and Port of Rye.

PROCEEDINGS OF THE COMMITTEE.

Friday, 20th April, 1866.

NAMES of the Members called over;—all present.

Room cleared. Committee deliberated.

The Committee agreed to the following preliminary Resolutions:—

That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

That if costs be demanded by either party under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

That the Committee expect, that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member, or his agents, the Counsel for the Petitioners will now state the names of the Electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered so to do.

The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

That no person shall be examined as a witness who shall have been in the room during any of the proceedings (with the exception of the agents, whose names shall be handed in), without the special leave of the Committee.

That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

That the Committee will follow the practice of the courts of law with regard to speeches, as laid down in Section 18 of the Common Law Procedure Act, 1854.

That if the leading Counsel are not prepared to sum up the case on either side, when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent.

Counsel for the Petitioners:—Mr. *O'Mailey,* Q. C., Mr. *Cooke,* Q. C., Mr. *Longfield,* Q. C., and Mr. *Longley.*

Agents:—Messrs. *Baxter, Rose, Norton,* & Co., Mr. *Tanner,* of Rye, *James Lewis,* Esq., of Bristol, and Mr. *H. E. Payne,* of Rye.

Counsel for the Sitting Member:—Mr. *Keane,* Q. C., and Mr. *West.*

Agents:—Mr. *William Durrant Cooper* and Mr. *George Slade Butler.*

Mr. *O'Malley,* Q. C., was heard to open a case of bribery, treating, and undue influence against the Sitting Member.

The

The Short-hand writer was sworn by the Chairman.

Mr. *James Richard Naylor*, from the office of the Clerk of the Crown, produced writ and return, and handed in two poll-books of the last election for the Borough of Rye.

Mr. *Edwin Nathaniel Dawes*, sworn, and produced "The Register of Electors for the Borough of Rye" and handed in the account of the election expenses.

Mr. *Thomas Bourn*, Mr. *Samuel Lennard*, Mr. *John Chappell Vidler*, Mr. *Richard Sherwell Lancaster*, and Mr. *Daniel Southerdon*, were severally sworn and examined.

[Adjourned to To-morrow at Eleven o'clock.

Saturday, 21*st April*, 1866.

NAMES of the Members called over;—all present.

Mrs. *Marianne Southerdon*, Mr. *Edward James Heath*, Mr. *Richard Selden*, Mr. *James Glazier*, Mr. *Charles Harmer*, Mr. *Richard Fuller*, Mr. *Henry Saunders Edwards*, and Mr. *Joseph Hillenden*, severally sworn and examined.

[Adjourned to Monday next at Eleven o'clock.

Monday, 23*d April*, 1866.

NAMES of the Members called over;—all present.

Mr. *Robert Edward Bottle* and Mr. *William Burgess* were severally sworn and examined.

Resolved, "That the evidence of William Burgess be struck out of the Minutes."

Ordered, "That the evidence of William Burgess be struck out of the Minutes."

Mr. *George Jenner* and Rev. *William Brocklebank* were severally sworn and examined.

Mr. *Keane*, on behalf of the Sitting Member, applied for costs in the case of the Rev. William Brocklebank.

Mr. *Longfield*, was heard against the application.

The Committee determined to reserve their decision on the case.

Mr. *Alexander Duff Butchers*, Mrs. *Maria Butchers*, Mr. *James Baker*, *Fanny Smith*, Mr. *Jeremiah Curtis*, Mrs. *Frances Glazier*, and Mr. *Alfred Goddard*, were severally sworn and examined.

Mr. *West*, on behalf of the Sitting Member, applied for costs in this case.

Mr. *George Ashdown* and Mr. *Stephen Tryman* severally sworn and examined.

Mr. *Keane*, on behalf of the Sitting Member, applied for costs in this case.

[Adjourned to To-morrow at Eleven o'clock.

Tuesday, 24*th April*, 1866.

NAMES of the Members called over;—all present.

Mr. *West*, on behalf of the Sitting Member, called upon the Counsel for the Petitioner to state upon what cases he relied.

Mr. *O'Malley* objected to the course proposed by the Counsel for the Sitting Member.

Room cleared. Committee deliberated.

The Committee decided that they did not consider it necessary for the Counsel for the Sitting Member to call evidence.

Parties called in and informed of the decision of the Committee.

Mr. *O'Malley* was heard to sum up the case of the Petitioner.

Room cleared. Committee deliberated.

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MINUTES OF EVIDENCE.

Friday, 20*th April* 1866.

MEMBERS PRESENT:

Sir Andrew Agnew.	Sir Frederick William Heygate.
Honourable D. F. Fortescue.	Henry Christopher Wise, Esq.

THOMAS WILLIAM EVANS, Esq., IN THE CHAIR.

The names of the Members were called over—All present.

The Petition of *Robert Curteis Stileman* and *John Bellingham*, complaining of an undue return for the borough of Rye, was read.

Mr. *O'Malley*, Mr. *W. H. Cooke*, and Mr. *Longley* appeared as Counsel for the Petitioners.

Messrs. *Baxter, Rose* and *Norton*, Mr. *Tanner* (of Rye), Mr. *James Lewis*, and Mr. *H. E. Paine*, appeared as Agents.

Mr. *Keane* and Mr. *West* appeared as Counsel for the Sitting Member.

Mr. *Durant Cooper* and Mr. *George Slade Butler* appeared as Agents.

The Committee-room was cleared.

After a short time the Counsel and parties were called in, and informed by the Chairman that the Committee had passed the usual resolutions.

Mr. *O'Malley* was heard to open the case on behalf of the Petitioners.

Mr. James Robert Naylor, was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:

1. You are the Chief Clerk of the Crown?—Yes.
2. Do you produce the return for the last election of Rye?—Yes.
3. And the poll books?—Yes.

Mr. *J. R. Naylor.*

20 April 1866.

Edmund Samuel Dawes, was called in; and, having been sworn, handed in the Register, and the Election expenses.

4. Mr. *Keane.*] Is this book correct; the printed list of voters?—Yes.

E. S. Dawes.

Thomas Bourn was called in; and, having been sworn, was examined by Mr. *Longley*, as follows:

5. You are a Bricklayer, living at Rye?—Yes.
6. You are a voter for the borough of Rye?—Yes.
7. And you voted for Colonel Macdonald at the last election?—Yes.
8. The election was in July?—Yes, I believe it was.
9. In June I believe your wife was ill, was not she?—Yes.
10. Do you remember Mr. Robert Hoad coming to your house at the time that she was ill?—Yes.
11. What passed between you on that occasion when he came to your house, when your wife was ill?—I cannot say now what passed.
12. Did he say anything to you?—He said I could have anything I wished for her.
13. For whom?—For my wife.
14. What did you say then?—I cannot think of everything now.
15. Try and remember; was anything done in consequence of his saying that?—He asked me if I wished for any help.
16. What did you say to that?—I said I should like to have a little help.
17. What did he say to that, when you said you should like to have a little help?—He said he could let me have some money if I wished for it.
18. Was anything done upon that?—I had 5*l.* afterwards.

T. Bourn.

19. I think

T. Bourn.

20 April 1866.

19. I think you are going a little too fast; was anything done about the help?—Nothing more than that.

20. Do you know a man named Fryman in Rye?—Yes.

21. Did Fryman send anything to you?—I had spirits; what she wished for.

22. Who had spirits?—My wife.

23. What she wished for?—Yes.

24. Where did the spirits come from?—Robert Hoad ordered them.

25. Who supplied them?—

26. Mr. *Keane.*] Do you know this of your own knowledge; if you do not know anything of your own knowledge, do not speak of it on your oath?—I forget a great deal about it; but Mr. Payne knows about the time.

27. Mr. *Longley.*] Did Robert Hoad say anything about getting spirits from Fryman's?—Yes.

28. And you got the spirits?—Yes, it was sent.

29. What did Robert Hoad say to you about the spirits from Fryman's?—She could have it when she wanted it.

30. And she had it?—Yes.

31. By the *Committee.*] Did Fryman bring the spirits?—It was sent.

32. What I want to know is, how do you know that it came from Fryman?—Because Robert Hoad ordered it, and said we might have it from there.

33. And then the spirits were sent?—Yes.

34. Mr. *Longley.*] Did you pay Fryman for those spirits?—No.

35. Do you expect to have to pay?—No.

36. You have never been asked to pay for them?—No.

37. You were saying something about 5 *l.* just now. I think a day or two after this, you went to Robert Hoad's house?—I did.

38. This was in June?—Yes.

39. And a day or two afterwards you went to Robert Hoad's house?—Yes.

40. Why did you go to Robert Hoad's house; did Robert Hoad ask you to go?—Yes.

41. What did he say when you got there?—I had 5 *l.*

42. Did he say anything before you had the 5 *l.*; I suppose he did not give you 5 *l.* without saying anything?—I agreed to vote for him.

43. For whom?—For Mackinnon.

44. Then, after that, what happened?—I had a pound after that.

45. Was any money given you after you had agreed to vote for Mackinnon?—£. 5 was given me.

46. When he gave you the 5 *l.*, did he say anything?—If I wanted one more I could have it at any time.

47. You say Mr. Hoad asked you to vote for Mackinnon?—Yes.

48. Did you promise?—Yes; I agreed to vote for him.

49. By the *Committee.*] Did you get this other pound?—Yes, I did.

50. Mr. *Longley.*] I believe you saw Hoad a few days after that?—Yes.

51. Where was that?—At his office.

52. Was anybody else there when you went to that office on that occasion?—The clerks.

53. What is the clerk's name?—Mr. Easton is one.

54. What did you say to Mr. Hoad then?—That is all that passed.

55. You have not told us anything that passed?—Nothing more.

56. Nothing more than what?—I did not see anything more; only received the one pound.

57. Did Hoad say anything to you?—Only I had the one pound.

58. Did not he say anything?—No.

59. By the *Committee.*] Who gave you the pound?—Robert Hoad.

60. Where was the pound given to you?—In the office.

61. Mr. *Longley.*] How did he give it to you?—I took it out of his hand.

62. What quantity of spirits were sent to you on that occasion?—I cannot say.

63. Was it a pint or a gallon?—I cannot say how many bottles there were that came.

64. More bottles than one?—Yes.

65. By the *Committee.*] Were you in Fryman's spirit shop about this time?—I went in one time.

66. What did you do when you were there about that time?—I had a glass or two myself; nothing much.

67. Was that on one day, or more than one day?—More than one day.

68. Have you any idea how many days?—I have no idea how many days.

69. More than one?—Yes.

70. You had glasses of spirits?—Yes.

71. Did you pay for them?—No.

72. Did any one tell you to go in and get those spirits, and pay for them?

Mr. *Keane* objected to the question.

73. By the *Committee.*] You say you went there?—Yes; and it did not signify about money, he said.

74. Mr. *Longley.*] Who said that?—Fryman.

75. You knew a man called John Avery?—Yes.

76. He lives in Rye, does not he?—Yes.

77. Does he live near Fryman's?—Opposite.

78. Did he tell you anything about Fryman's shop?—He did not tell me anything about it.

Mr. *Keane* said they must not get at the conversations yet; they were upon bribery at present, and not treating.

Mr. *O'Malley* replied that he had given a list of both, and had a right to ask the question.

79. Mr. *Longley.*] Did anything pass between you and Avery about getting anything to drink?—A few times I had sixpence, and I went across to Fryman's.

80. Who gave you the sixpence?—Avery.

Mr. *West* said it was necessary to give the name.

Mr. *O'Malley* said it was sufficient to say it was at Mr. Fryman's house.

Mr. *Longley* said they must prove it was at Fryman's public house.

Mr. *O'Malley* said they had proved it was at Fryman's public house, and they were now going to show who sent the Witness there.

The *Witness.*] He did not send me there; I went where I thought proper.

81. By the *Committee.*] When did this take place?—I cannot tell.

82. What day of the month; was it in June or July?—My wife was ill in June.

83. Was

83. Was this later?—No, about that time.

84. In June before the election?—Yes.

85. Mr. *Longley.*] How long before the election?—Some little time.

86. Can you give us an idea?—Some three weeks; quite that; it might be a month.

87. When were you in Avery's company; you say you saw him about the time, and you spoke about his giving you sixpence or a shilling; did anything further pass?—No.

88. When he gave you the sixpence or shilling, what did you do with it?—I did what I liked with it.

89. What did he say when he gave you the sixpence or shilling?—He did not say anything more.

90. Did he promise to give you sixpence or a shilling?

Mr. *Keane* objected to the question as a leading question.

The *Chairman.*] I have got down that he talked about sixpence or a shilling, and did give it.

The *Witness.*] Yes, several times I went.

91. And did he say anything more?—Yes. He did not tell me where to go and spend it. I did what I liked with it.

Cross-examined by Mr. *Keane.*

92. When was it that your wife died?—The 7th of May.

93. By the *Committee.*] I understood you to say she was ill in June; how could that be?—

94. Mr. *O'Malley.*] Was it in June or May that she died?—It was the 7th of June; I had forgotten.

95. Mr. *Keane.*] Consider a little; which was it?—On the 7th of June.

96. How long was she ill?—About three months.

97. Now, after she died, you never had any spirits sent from Fryman's?—No.

98. And whatever was sent, was sent for her because she was ill, and you were unable to purchase it for her?—Yes, that is quite right.

99. Now, the 5 *l.* was given you because you were unable to pay the expenses of her funeral; was not that so?—I should not have had it if he had not expected me to vote for him.

100. Do not reason; but is not that the fact?—That is the fact.

101. Was not the 5 *l.* given to you in order that you might be able to pay the expenses of her funeral?—I cannot say that.

102. Just think a little; was not it given to you at that period; but I will begin a little earlier. Were you able yourself to defray the expenses of a decent funeral?—Yes, I had means otherwise for that.

103. What were they?—I had the money from a club.

104. What club was that?—One that I belonged to.

105. And what was it?—The Manchester Order.

106. By the *Committee.*] The Manchester Order of Odd Fellows?—Yes.

107. Mr. *Keane.*] Notwithstanding that, was not it in respect of your wife's illness and funeral debts, and other things about her, that you were to have that 5 *l.*?—I was to have that; but he expected me to vote for him.

108. Was not it to be applied towards paying your wife's funeral debts and things about her?—Oh, yes.

109. Had not Mr. Hoad for many years been helping you on account of your wife?—Never.

110. How long was she ill?—Three months.

111. During that time, had Mr. Hoad been helping you on account of her illness?—No.

112. During the whole three months?—No, not till the last.

113. How many times did you get in spirits from Mr. Fryman's?—I cannot say how many times; I think about five or four times.

114. When was the last time you got any?—Just before she died.

115. Not just before she died?—Yes.

116. Your wife did not want any just before she died?—Yes, to the last.

117. Is not it the fact that she did not want it for a few days?—Yes, till the last day.

118. Was not the last time you got any spirits from Fryman's some days before she died?—I cannot say how many days; not more than three or four; not more than three, I think.

119. That was the last time?—Yes.

120. Do you recollect the time before that you got any?—Some little time before that.

121. Would that be 10 days or a fortnight?—Not so long.

122. A week or 10 days?—Yes.

123. Was that during her illness?—Yes.

124. You told me several times that that was because you were to vote as Mr. Hoad wished?—Yes.

Mr. *O'Malley.*] He said for Mr. Mackinnon.

125. Mr. *Keane.*] Was it that you were to vote for Mr. Mackinnon, or as Mr. Hoad wished you?—To vote for Mr. Mackinnon.

126. Was that said to you?—Yes.

127. By whom?—By Robert Hoad.

128. More than once?—I cannot say how many times; whether more than once.

129. When was it first said to you, the only time you can recollect; when was that once?—When I received the 5 *l.*

130. I thought you received 5 *l.* after the spirits were given?—Yes.

131. Where did you receive the 5 *l.*?—In the office.

132. And Easton was present?—Yes.

133. On the occasion that Mr. Hoad said that to you?—Yes.

134. Give me his words as near as you can?—Yes.

135. Mr. Easton was there all the time?—Yes; he was in the office.

136. It was an open office?—Yes.

137. Was he near enough to hear?—I cannot say, but I think so.

138. Now, give me, as near as you can, the words. Tell the Committee, as near as you can, the words that were used?—I have no more to say about it.

139. I beg your pardon. When you say you have no more to say, I suppose that is all you told Mr. Payne, the agent on the other side?—Yes.

140. Now tell the Committee a little more?—I cannot say any more.

141. I am not asking you whether you can say the words——

142. By the *Committee.*] Mr. Hoad said when he gave you the 5 *l.*, that you were to vote for Mr. Mackinnon?—Yes.

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143. Cannot you tell the Committee exactly what he did say?—I told him I would vote for him.

144. Was this when your wife was ill?—Yes.

145. Mr. *Keane.*] I thought you got the 5 *l.* after your wife was dead?—No.

The *Chairman.*] I have got 5 *l.* for funeral expenses.

146. Mr. *Keane.*] Did you get the 5 *l.* for funeral expenses before she was dead?—Yes.

147. Now, which way was it; you got 5 *l.* for funeral expenses before she was dead?—Yes; I have forgotten a deal about it.

148. Was it from distress of mind that you forgot a deal about it?—I am very troubled to think about anything much.

149. During that time, do you mean you were in such trouble that you do not recollect?—Yes.

150. Were you in trouble before your wife's death, or after, or in consequence of her illness?—I have been for years.

151. Was that in consequence of her illness?—In consequence of a fall that I had once.

152. That has disturbed your memory?—Yes.

153. By the *Committee.*] There is one question I wanted to ask you. You said, when examined before, that you received 1 *l.* in Mr. Hoad's office?—Both the 5 *l.* and the 1 *l.*

154. Mr. *Keane.*] Was Mr. Easton present on both occasions?—I cannot say.

155. I understood you to say so; was it so?—I think so.

156. Was anything said by Mr. Hoad on the second occasion when you got the 1 *l.*?—No.

157. Did you say anything?—No, that was all that was said. If I wished for another, I could have it; that was when I had the 5 *l.*

158. Now try and recollect what was said about the voting?—I cannot recollect everything.

159. Did you say anything on the second occasion when you got the 1 *l.*?—No.

160. Nobody said anything?—No.

161. You say it was given to you; you did not ask for it, and nobody said anything?—I went and asked for it.

162. What did you say?—I told them I should like to have another 1 *l.*

163. When was this?—Some time after I had the other.

164. Was it before or after your wife's death?—I cannot say that now.

165. Now, will you tell me when you mentioned anything of this to Mr. Payne, the agent on the other side?—I cannot tell you when.

166. You cannot tell me first; can you tell me when last?—I cannot tell you when.

167. I am asking you when the first time and when the last time?—I have not told him anything, except on the first time.

168. Do you mean to say you only went to him once?—Yes.

169. Where was that?—In his office.

170. At Rye?—Yes.

171. Who was it told you to go there?—No one.

172. How was it that you went there?—I did go there.

173. Why?—Of my own accord.

174. And you cannot tell me the time?—No.

175. Did you get anything from Mr. Payne?—I did not.

176. Never at any time?—No.

177. Are you to get anything?—I have not heard anything.

178. Who paid your railway fare to come up here?—I paid it myself.

179. Whose money was it that you paid it with?—My own.

180. Where did you get it from?—I had got it by me.

181. You had money to take you up to London of your own accord?—Yes.

182. Did you get that from the club?—No, I had it by me.

183. Had you no money to bring you up to London at all when the warrant of the Speaker was served?—Yes.

184. How much was it?—One guinea.

185. And more promised?—No.

186. Who gave it to you?—The man who served me with the warrant.

187. The clerk of Mr. Payne?—No.

188. A clerk in the same office as Mr. Payne?—No.

189. What is his name?—Vidler.

190. Where are you staying now?—At the Bedford Hotel.

191. Covent Garden?—Yes.

192. Did you take the room there yourself?—I was ordered there.

193. Who ordered you there?—Certain parties.

194. Who are the certain parties. Have you forgotten their names?—I went with Mr. Tanner.

195. Who ordered you to go there in the first instance?—When I came to London I was ordered there.

196. By whom?—By Tanner.

197. Are you sleeping at the Bedford Hotel?—Yes.

198. And Mr. Tanner is the principal, and Mr. Payne, I suppose, he is master?—I expect so.

199. I do not understand whether you did or not get a shilling or sixpence from Mr. Avery; did you or did you not?—Yes.

200. When was that?—I cannot say.

201. Was it more than once?—Yes, several times.

202. Where?—In a shop.

203. At Rye?—Yes.

204. Was anybody present?—No.

205. Was anything said?—No.

206. Neither by him or by you?—No.

207. Do you know somebody of the name of Pix?—I know Mr. Pix at Rye.

208. Had you no money from him?—No.

209. Or his friends?—No.

210. When was it, the last time you had the drink for nothing at Fryman's?—I cannot say.

211. How long after your wife's death?—It was before her death.

212. Since your wife died, you have had no drink from Fryman's?—No.

213. I think you wish us to understand that you took the 5 *l.* on a promise to vote for Mr. Mackinnon?—Yes.

214. And that 5 *l.* was to be expended in consequence of your wife's illness and death?—Yes.

215. For whom did you vote?—For Mr. Macdonald.

216. Am I to take it that you changed your political opinions after receiving 5 *l.*?—Yes.

217. Was it anything but reflection that made you alter your views?—No; I was offered money, and I took it.

218. Now

218. Now then, first of all, what money was it that you took; how much?—£. 5 and 1 *l.*

By the *Committee.*] Then we have this question wrong. You asked him if he changed his opinion, and he said he was offered money, and took it. That would be from Mr. Macdonald.

219. Mr. *Keane.*] Were you offered money from Macdonald?—No.

220. Am I to take it that you voted for Mr. Macdonald on principle?—Yes.

221. Is that your only reason for changing your opinions, and not keeping your promise?—I promised him first.

222. Which is it. Did you promise Mr. Macdonald first, and then took money from Hoad, and then vote for Macdonald?—Yes.

223. When did you first promise Macdonald?—I cannot say.

224. It is important; try and recollect; tell the Committee when you first promised Macdonald?—When they first canvassed me.

225. When was that; I was not there?—I cannot say.

226. How long after your wife's death?—I cannot say.

227. Was it a week after your wife's death?—I cannot say.

Mr. *O'Malley* objected.

228. By the *Committee.*] Was it before or after your wife's death that you promised Macdonald?—I cannot recollect whether it was before or after.

229. Mr. *Keane.*] Was it not long after your wife's death?—No, it was not long.

230. Was it about 10 days after her death?—I cannot say how long.

231. Or a fortnight?—I cannot say.

232. At all events after her death?—I believe it was.

233. By the *Committee.*] You first promised to vote for Macdonald?—Yes.

Re-examined by Mr. *O'Malley.*

234. Do you remember the time that Mr. Hoad came to you, and asked you if you wanted help for your sick wife?—I do not remember the time.

235. Do you remember his coming to you before you got the spirits in?—I remember he came to me, and asked me if I wanted any assistance.

236. Now, had Mr. Macdonald canvassed you before that time?—Yes, before that.

237. Some months before that time?—I cannot say how long.

238. You are sure that he had canvassed you before that time?—Yes.

239. And you had promised your vote?—Yes.

240. Used Mr. Hoad before that time to assist you?—No, never.

241. You say at that time he promised you 5 *l.*?—Yes.

242. Did you go to his house or his office for the 5 *l.*?—To his office.

243. And was it at the office that you spoke about voting for Mackinnon?—Yes.

244. Now tell me this, had you said anything to him about you wanting 5 *l.* when he promised it to you?—No.

245. Had you said anything to him about wanting money to bury your wife?—I think I had said something to him about that when he came.

246. Your wife was dying at that time?—Yes.

Mr. *West* objected to the answers being suggested.

247. By the *Committee.*] You say you said something about what?—About a little assistance.

248. For what?—On account of my wife. To help me out on account of my wife.

249. Mr. *O'Malley.*] You say that your memory is not good, in consequence of a fall that you had?—No, it is not.

250. You voted afterwards, you told us, for Mr. Macdonald?—Yes.

251. Had you a friend of the name of Chatterton?—I know a young man of the name of Chatterton.

252. He is a supporter of his?—He had never anything to do with me.

253. You say what altered your political principles were that you were offered 5 *l.* and 1 *l.*, and took it?—I took it.

The *Chairman* stated that the Committee understood him to say he altered his political principles afterwards.

Mr. *O'Malley* stated the alteration of political principles was marked by the first promise.

Mr. *West* said Mr. O'Malley should not suggest an entirely different interpretation.

Mr. *O'Malley* said what made him alter his political principles was, that he was offered money and took it, and when he came to explain what the money was, he said 5 *l.* and 1 *l.*, and that no money was offered by Mr. Macdonald.

The *Chairman* said he mistook the question.

254. Mr. *O'Malley.*] Before this time had Mr. John Avery been in the habit of giving you 6 *d.* or a 1*s.*?—No.

255. Had Fryman been in the habit of sending you spirits for nothing?—No.

256. By the *Committee.*] Answer this question. It is only with reference to what you have answered, and I wish to have it quite clear what you said. Did you say the 5 *l.* was given some time after, by which I understood a good long time, that the 1 *l.* was given a long time after the 5 *l.*?—Some little time; some days.

257. Then the 5 *l.* was given before your wife's death?—Yes, I think it was.

258. Because we have that down that it was given before your wife's death?—Yes.

259. Therefore the 5 *l.* was given some considerable time before the 1 *l.*?—Some time before the 1 *l.*

260. You say that the 5 *l.* was for the funeral expenses?—Yes.

261. And another thing, you say you promised to vote for Macdonald before you had got the 5 *l.*?—Yes.

262. And the 5 *l.* and the 1 *l.* changed you?—Yes.

263. And then again here is an apparent contradiction; I have it down, and no doubt the shorthand writer has; you say that it was after your wife's death that you first promised to vote for Macdonald.

The *Chairman.*] So he had.

264. By the *Committee.*] How long before your

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your wife's death was this 5 *l.* given you?—I cannot say how many days.

265. Was it a week?—It might be.

266. Was it a month?—No.

267. You are clear it was before your wife's death?—Yes.

268. Do I understand you to say that it was for her funeral expenses?—Yes, I had it for that.

269. Was it given to you when it was known she was about to die?—About that time.

270. And was it spent in funeral expenses?—I do not know whether it was or was not.

271. When Hoad offered you the 5 *l.* to vote for Mackinnon, did you know that you had promised the other gentlemen?—That I do not know.

272. Were you asked if you had promised your vote?—I do not recollect.

SAMUEL LENNARD was called in; and, having been sworn, was Examined by Mr. *O'Malley*, as follows:

S. Lennard.

273. WHAT are you?—I am an Agricultural Labourer.

274. Where do you live?—In the parish of Clayton.

275. You were, at the last election, a voter for the borough of Rye?—Yes.

276. Do you know a man of the name of Medhurst?—Yes.

277. Besides being an agricultural labourer, do you keep a beerhouse?—Yes.

278. Do you also know a man of the name of Gallop?—Yes.

279. And William Payne?—Yes.

280. Do you remember Medhurst and those two I have spoken of coming to your house, about the month of April last?—Yes, I do.

Mr. *West* wished to know how that was evidence.

Mr. *O'Malley* said he was going to prove bribery.

Mr. *West* said it was not in the list.

Mr. *O'Malley* said that he thought that it was, but whether it was in the list or not he had a right to ask the question.

281. Did he speak to you?—Yes.

282. By the *Committee.*] Who spoke to you?—Medhurst.

283. Mr. *O'Malley.*] Did he say anything to you?—Not anything particular.

Mr. *West* said that it would save a great deal of time if the name was pointed out.

Mr. *O'Malley* said he was not asking anything that required the list.

284. Medhurst spoke to you?—Yes.

285. Did you do anything in consequence of Medhurst speaking to you?—I drew them some beer.

286. Did you do anything after; did any people come to your house that evening?—Yes.

287. Did you invite them?—I invited some; he told me to.

288. Who were they that came to your house?—I could not mention all the names.

289. What were they?—Some tradespeople, and some agricultural labourers.

290. Do you know whether they were voters?—I do not think any of them were voters but Gallop.

291. By the *Committee.*] Did Gallop come in the evening?—Yes.

292. Mr. *O'Malley.*] What was the bill for entertainment that night.

Mr. *West* objected to the question, and said the rule was that bribery must be gone into first, and he would take the opinion of the Committee whether it was not better bribery should be gone into first of all.

Mr. *O'Malley* protested against anything of the kind. Many of the Witnesses that he had to call would be Witnesses to both; nothing could be more inconvenient; then he should first have to call a Witness and examine him as to bribery, and then have to recall him again and examine him as to treating, and he was now on the case of bribery.

293. What was the amount of drink at your house that night?—Somewhere about 15 *s.* to 16 *s.*

294. To whom did you give a bill for that?—I did not give a bill; I had put it on a slate and Mr. Medhurst looked at it.

295. Did he pay for it?—No, but then he said he would see it was paid.

The *Chairman* asked whether Mr. O'Malley was going to bring home a case of bribery against Medhurst.

Mr. *O'Malley* replied in the negative.

296. By the *Committee.*] Medhurst said he would see it paid?—Yes.

297. Mr *O'Malley.*] Did you receive a letter afterwards?—Yes.

298. And an envelope?—Yes.

299. With 5 *l.* in it?—Yes.

300. Will you just tell me was that it (*handing a paper to the Witness*)?—Yes.

Mr. *O'Malley* said he proposed to prove by-and-bye that this was Smith's writing.

301. By the *Committee.*] Was this written in the letter?—Yes.

302. Mr. *O'Malley.*] The envelope that contained the 5 *l.* contained that also?—Yes.

Mr. *West* proposed that it should be read.

The *Chairman.*] It is "Private and confidential. Stick to the Blues."

303. Mr. *O'Malley.*] Blue was Mackinnon's colour at the last election?—Yes.

304. It is "Private and confidential. Stick to the Blues, and more will follow for grogs and tobacco." Do you remember what day of the week that arrived?—No, I do not.

305. After that arrived, did you see Medhurst again?—I saw Medhurst after that, and asked him——

Mr. *West* said they could not have the conversation.

306. Mr. *O'Malley.*] Did you see him afterwards?—Yes, I saw him afterwards.

307. Did he come to your house?—Yes, he came to my house afterwards.

308. Did he offer to pay you the 15 *s.* or 16 *s.*?

Mr. *West* objected to the question, and, after the Witness had withdrawn, said his objection was, that the question now asked was,

was, as to what somebody had said to this Witness, and that was a fatal objection, because Mr. Mackinnon could not be made answerable for what was said on that occasion, and he wished to know whether Witnesses were to be asked about conversations, because it was not a question of scrutiny, where they might ask a Witness what he did himself, in order to show that he was disentitled to a vote. The question was whether Mr. Mackinnon had been guilty of bribery and treating by his agent, and the question proposed had nothing to do with that.

The *Chairman* said the Committee understood Mr. O'Malley's last question to be, what the man did; whether he did not pay him something.

Mr. *O'Malley* said the question he wished to ask was, "Did he offer to pay money?"

Mr. *West* objected to the question as being a leading question.

Mr. *O'Malley* said it was not.

Mr. *West* wished to know whether they were to have conversations.

Mr. *O'Malley* said when they came to that, he would be prepared to argue what was reasonable and what was not, but he was then about to put a question to the Witness when he (Mr. West) came in.

The *Committee* wished to know what question he wished to put.

Mr. *O'Malley* said the question was, "Did he offer to pay?"

Mr. *West* said the question was objectionable.

Mr. *O'Malley* said he was not asking what was said, but whether he paid the money.

The *Committee* wished to know whether Mr. O'Malley was going to try to bring a case of bribery against Medhurst.

Mr. *O'Malley* said he was not, only against Smith.

The *Chairman* said the Witness might be called in, and the question asked.

The Witness was called in.

309. Mr. *O'Malley.*] When Medhurst came to your house after you received the 5*l.*, did he pay you the amount of the reckoning?—No.

310. Did he ever pay you?—No.

311. Did you ever ask him for it?—No.

312. I see in that letter it says, "More will follow"?—Yes.

313. Before that envelope came with the 5*l.*, had Mr. Mackinnon called upon you?—Yes.

314. How long before?—I cannot say exactly, it might be three or four days, or from that to a week; I cannot say.

315. Did Mr. Mackinnon call before or after you had the meeting at your house?—After.

316. When you invited people to your house, I mean that time when the 15*s.* or 16*s.* was drunk?—It was after.

317. Was it between that time and your getting the 5*l.* that Mr. Mackinnon had called?—It was between the two times.

318. Did Mr. Mackinnon, when he called, say anything to you?—He only solicited my vote.

319. What did you say to him?—I told him I did not wish to have anything to do with the election; it never had been any good to me; I did not expect it ever would, and I told him I should not promise.

320. Did he go away then?—Yes.

321. Now, can you tell me how many days after that you got the letter with the 5*l.*?—I cannot tell you to a day or two; it might be three or four days.

322. Did you afterwards receive that letter through the post?—Yes.

323. By the *Committee.*] Do you mean after this?—Yes.

324. Mr. *O'Malley.*] Look at it (*referring to the letter*)?—That is the second.

325. Were there 5*l.* contained in that?—Yes.

326. A second 5*l.*?—Yes.

327. Was this pencil writing in it at the time?—Yes.

328. It is, "Stick to the Blues. More behind." That was the second?—Yes.

329. The postmark is the 25th of June. Do you know a man of the name of William Roof?—Yes.

The *Committee* inquired whether he was on the bribery list.

Mr. *O'Malley* said he was.

330. Now, did Mr. William Roof come to you and canvass you?—Yes; he came three or four times.

331. For Mr. Mackinnon?—Yes.

332. Did you see William Roof about ten days before the election?—Yes; I saw him about nine or ten days before.

333. Did he say anything to you about your vote?—Yes; he very much pressed me to vote for Mr. Mackinnon.

Mr. *West* wished to know whether the Committee thought they could go into conversation.

The *Chairman* replied that this was a man on the list.

334. Mr. *O'Malley.*] Did he say anything to you about money?—I cannot say that he did.

335. At any time?—No.

336. Just recollect yourself?—He never made me any promise of any.

337. Have you seen Roof lately upon the subject ofyour evidence here?—No.

338. By the *Committee.*] Have you seen him lately?—I have seen him lately.

339. On that subject?—No.

340. Mr. *O'Malley.*] Have you seen Mr. Judge?—Not to speak to him.

341. Now tell me what Roof said to you 10 days before the election?—He sent up for me, and wished to see me, and I went down to the "George," and saw him there.

342. Tell us what passed?—Mr. Smith and he very much pressed me to vote for Mr. Mackinnon; but they never made any offer of any money.

343. Recollect what passed between you. You went down to him in consequence of his sending for you. What passed between you then?—I have told you as near as I can.

344. You gave your statement to a gentleman in the Cinque Ports Hotel?—Yes; they very much pressed me to vote for Mr. Mackinnon, and said, "Most likely it would be a good thing for me."

345. You say something was said about money. Just recollect, was anything said about 10*l.*?—I was not made any promise.

346. What was said?—Something. "Most likely there would be 10*l.*"; but there was no promise; they never made me any promise.

347. "There

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347. "There would be most likely 10 *l.*"; in what event; if you voted?—Yes.

348. There would be 10 *l.* for what?—If I voted for Mr. Mackinnon.

349. Now, a few days afterwards, did you go to the "George" Inn?—That was the day.

350. You had seen Roof before that?—I had seen Roof before that.

351. Was it at the time you went to the "George," or before you went to the "George," that the 10 *l.* was spoken about?—When I went to the "George."

352. Was it not when you went to Roof himself?—No; because I did not go to him but only once.

353. Was it to the "George" that you went to him?—Yes; I went there because he had been up to my house in the day.

354. You say that you went to Roof because Roof sent to you to come?—He was up at my house in the day, and he had left word that he wished to see me when he was down the town.

355. Did you go to the "George" to see him?—I went to his house to see him; and they said he would most likely be at the "George"; and I went up there and found him.

356. By the *Committee.*] Was this before or after the two 5 *l.* notes had been sent to you?—This was after.

357. Most likely the 10 *l.* would come after you had the two 5 *l.* notes?—Yes.

358. You went to the "George" and inquired for Mr. Roof?—Yes.

359. Did you see him?—Yes.

360. Where did you see him?—I went to the passage to him.

361. This is the same occasion?—Yes.

Mr. *O'Malley* said it was all connected with the same course.

362. By the *Committee.*] But was it on the same occasion?—Yes.

363. When he came to the passage was it there that he spoke to you, and said most likely there would be 10 *l.*?—No, we went upstairs.

364. Upstairs in the "George"?—Yes, we went up there, and we had some conversation.

365. Did you go into a room?—Yes.

366. Did you see any one in the room?—Only Mr. Roof and Mr. Smith.

367. Richard Smith?—Yes.

368. Do you know a person of the name of Robert Hoad?—I do.

369. Was he in the room?—No.

370. You did not see him in the room?—No.

371. What sort of a room was it, a sitting or a bed-room?—It was not a bed-room; it was a small room.

372. Was there a table in it?—Yes, I believe there was, but I could not say.

373. Was Smith sitting or standing?—He was standing; we all stood.

374. Just recollect whether there was a table or a desk; did you see any papers about?—I did not notice.

375. When you went into the room did you say anything to them?—I told you as near as I could what passed between us.

376. No, I think I will refresh your recollection a little; I think you are making a mistake. Was anything said about 20 *l.*?—No.

Mr. *West* objected to the question. The Witness was Mr. O'Malley's own witness, and he ought to deal with him properly.

377. Mr. *O'Malley.*] Recollect yourself; you told us that William Roof spoke to you about the probability of 10 *l.* coming. At the time he spoke to you about the 10 *l.* was Richard Smith present?—He was.

378. Just recollect yourself?—He was.

379. You are quite sure of that?—Yes.

380. Was Mr. Mackinnon's name mentioned?—

Mr. *West* objected to Mr. O'Malley's putting the words into the witness's——

The *Chairman* thought that Mr. O'Malley was cross-examining very much.

Mr. *O'Malley* said he did not ask any question that suggested an answer to the Witness.

381. Do you know Mr. Mackinnon?—I have seen him two or three times.

382. You have heard his name at Rye?—Yes.

383. Tell us what passed when you got up into this room?—I have told you.

384. You gave your statement to a gentleman?—Yes, and I told him as near as I could.

385. Recollect a little more; tell us the words that passed; did you first speak, or did they speak to you about the money?—I cannot tell you; I did not ask for any.

386. Did you ask for anything?—No.

387. Did you say anything to them?—Yes, certainly I spoke.

388. What did you say?—

389. By the *Committee.*] You have told us once that you said you did not wish to have anything to do with the election, and you did not suppose you would?—Yes.

Mr. *O'Malley* said that was to Mr. Mackinnon.

The *Chairman.*] Then he says they spoke to him, and pressed him, and said most likely it would be a good thing for him.

390. Mr. *O'Malley.*] Did you say anything about money?—No.

Mr. *West* objected to the question.

Mr. *O'Malley* said he had a perfect right to ask it.

The *Chairman.*] You ask him if he has said anything about money, and he says "No."

Mr. *O'Malley* remarked that the Witness might forget.

391. Your statement was taken down at the Cinque Ports Hotel?—Yes, I gave the statement the same as I have told you now.

392. May I take it, that what was said then was that there might be 10 *l.*?—Yes.

393. Just repeat that?—What was said was, that probably if I would vote for Mr. Mackinnon, there might be 10 *l.* for me.

394. I do not ask you what it was; but did you afterwards get a message?—A message was sent to me afterwards.

395. By the *Committee.*] After you went to him?—Yes, two or three days afterwards, perhaps.

396. Mr. *O'Malley.*] Did Smith or Roof say anything to you about a message?—No.

397. About signing, you know?—No.

398. Did you see Mr. Mackinnon there?—No.

399. Did you see him at all after that?—No, not to say anything to him.

400. Who brought you the message?—I cannot tell.

401. Did

401. Did you see Smith or Roof afterwards?—Not until after the election.

402. Did either of them speak to you about the message?—No.

403. By the *Committee.*] Did you say you never saw Smith or Roof until after the election?—Not to say anything to them till after the election.

404. By the *Committee.*] And they said nothing to you about the message?—No.

405. Mr. *O'Malley.*] You got the message?—Word was left at my house.

406. And you were told of it?—Yes.

407. What was it?

Mr. *West* objected.

The *Chairman* said that would be mere hearsay.

Mr. *O'Malley* said he could not put the question if it was objected to.

Mr. *West* said he could not object, if the Committee would receive such evidence as that.

408. Mr. *O'Malley.*] What was the message?—The message was sent to me to go to the "Crown" Inn, at 7 o'clock.

409. For what purpose?—Mr. Mackinnon wished to see me there.

410. How soon after you had been to the "George," with Roof and Smith, did you receive that message?—Two or three days, perhaps.

411. Did you go to the "Crown" Inn?—No, I was five miles away, at work.

412. Now I am going to another part of the case, that of treating at the "King's Head," at Rye. Were you, in the month of April, at the "King' Head," at Rye, at a treat there?—I was there.

413. Was there a meeting there?—I do not know who convened the meeting.

414. What was it?—They called it a birthday party.

415. Whose birthday, do you know?—I do not know; I only happened to be there, and they asked me to go into the room.

416. Was there anybody in the chair?—I believe a man named William Payne was in the chair, but I could not be certain, for I was only in the room a short time.

417. Did you have anything to eat or drink there?—I had a glass of brandy and water.

418. Did you see other people eating and drinking there?—Yes.

419. Could you tell me the name of one of them?—Mr. Payne and Mr. Gollop.

420. Was Medhurst there?—Yes.

421. Do you know whether the persons were all voters who were there?—Some were, but I could not say they were all.

422. What were they doing there?—Smoking their pipes.

423. They did not smoke a dry pipe, I suppose?—Drinking beer, and some drinking grog.

424. Did you see any of them pay for what they got?—No.

425. Had you anything to pay?—No.

426. And William Payne, you say, was in the chair?—I believe he was.

Cross-examined by Mr. *West.*

427. Is that Mr. Payne who was in the chair the gentleman we have had referred to so often?—No.

428. Was he a voter, do you know?—I do not know.

429. Do you know anything about him?—No, very little.

430. Was this April 1864, or April 1865, when this birthday party was?—1865, I suppose; it was 12 months ago.

431. Are you sure it was 1865; do not you think it was 1864; can you remember?—No.

432. Do not you think this birthday party was in 1864?—There might be a birthday party then.

433. In 1863, too, was not there one?—I cannot say.

434. Do not you know that?—I was not there to see.

435. How long were you there at this 1864 time?

Mr. *O'Malley* stated that the Witness had not said he was there in 1864.

436. Mr. *West.*] You were there in 1864?—No.

437. How long did you stay when you were there in 1865?—I do not know.

438. By the *Committee.*] Is this birthday that you have been talking about, in which Medhurst and Gollop were, in 1864 or 1865?—In 1865.

439. Were you there in 1864?—I cannot remember.

440. Were there two birthday parties?—Not that I am aware of.

441. Mr. *West.*] You say that the first 5 *l.* note came in an envelope; I understood you to say that?—Yes.

442. Where is the envelope?—I do not know.

443. Where did that piece of paper come from that has been put in?—I cannot say.

444. What did you do with it when you got it?—I do not know.

445. How did it turn up in the Committee-room to-day?—I kept it with the papers, I suppose.

446. How long did you keep it?—I cannot tell you; ever since it was sent to me.

447. Up to when?—To last Friday, I believe.

448. Whom did you give it to last Friday?—I gave it to Mr. Vidler.

449. He is the man who served the warrant?—Yes.

450. Did he serve you with a subpœna, which brought you up here?—No.

451. How did you come to give it to Mr. Vidler?—Because he was at my house, and I found it.

452. Where did you keep it all the time?—I had got it in a box along with some other receipts.

453. When you looked into the box, did not you find the envelope which contained the 5 *l.* note?—Yes.

454. Where is it?—Which one?

455. I am talking of the envelope which contained the first 5 *l.* note?—I could not find it.

456. Now, about this conversation at the "George." You say you might get 10 *l.*?—Yes.

457. Did you get anything from Roof or Smith?—No.

458. How much did you get from Mr. Macdonald's people?—Not a farthing.

459. What made you change?—Every man ought to vote for his own interest.

460. Had you received 10 *l.* to vote for the Blues?—Yes; but I did not know from whom I received it.

461. Why did you, when you received the 10 *l.* for voting for the Blues, vote for Mr. Macdonald?—

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donald?—Because I thought it would be best for my own interest.

462. How much did you get for it?—Not anything.

463. What was the interest to you?—It might be more interest to me.

464. Do tell us what was the interest that made you vote for Mr. Macdonald when you received 10*l.* from the other side. Did you know which side the 10*l.* had come from?—No, I could not say.

465. However, you thought it came from the Blues?—No one told me.

466. Who wrote that pencil-mark on the envelope; was it on when it came to you?—Yes.

467. Are you quite sure of that?—Yes.

468. You are a very good scholar, are not you?—I wish I was.

469. Who read it to you?—My uncle generally does that.

470. But who did it this time?—My uncle.

471. What is his name?—Edmund Orridge.

472. Is he here?—No.

473. Did he open the letter?—No.

474. Who did?—My wife opened the letter.

475. Is she here?—No.

476. Did you see it opened?—Yes.

477. Then you saw her take the 5*l.* note out of it?—Yes.

478. Did she read what was written in pencil?—No, neither of us can read.

479. When did you show it to your uncle?—He was in the room.

480. And he read it out?—Yes.

481. He is not here to-day?—No.

482. Nor your wife?—No.

483. What did you do with the money?—Paid it away, I suppose.

484. To whom?—I cannot say.

485. Do you recollect where you changed it?—No, I do not.

486. Did you ever change them at all, those two 5*l.* notes?—Yes.

487. Did you ever say to Roof or Smith that you had received two 5*l.* notes?—No.

488. Whom did you thank?—I have not thanked anyone for them, because I do not know who they came from.

489. And you voted for Mr. Macdonald?—Yes.

490. Did you tell anybody until last Friday that you received two 5*l.* notes?—No.

491. No human being?—Not that I am aware of. I do not say exactly that it was last Friday.

492. Till within this last month?—Only they at home; they knew it.

493. You never let it out?—No.

494. You did not let it out to that gentleman there (*referring to a gentleman in the room*)?—To neither of those gentlemen.

495. Who was the first gentleman that you let it out to?—Mr. Vidler.

496. Is Mr. Vidler here?—Yes.

497. Is he in the room?—No.

498. How came you to tell Mr. Vidler then; did he offer you anything to tell him this?—No.

499. It was given, you say, in June?—Yes.

500. And you never said anything to anyone?—No.

501. Never showed the envelope to anyone, but kept it closely packed up?—I do not know that I kept it packed up; I kept it amongst other papers.

502. What made you keep this piece of blue paper all that time?—I do not know.

503. Did not you think you were to get something for it?—I burnt a lot of bills last week that I have had eight or nine years, which I have kept.

504. You kept this valuable document?—I did not know that I had got it at all. I was looking for some more.

505. Some more like it?—No, not like that.

506. Now I must ask you once more, what is this interest that is to be served that you voted for Mr. Macdonald for; come, let us have it?—Every man ought to enjoy his own opinion.

507. He has a perfect right to enjoy his own opinion, and take a bribe on the one side and vote on the other if he likes, but I want to know what was the interest to be served by you, when you voted for Mr. Macdonald?—There was no particular interest just then, but perhaps there might be.

508. What is the interest that might be; what do you expect to get?—I do not expect to get anything.

509. You having got 10*l.* from the Blues, why did you go and vote for the Reds?—I did not know who it was that sent it, and if I had felt disposed to send it back I should not know where to send it to.

510. Did you believe it came from the Reds; Come now?—I could not say.

511. By the *Committee.*] Are you so much in the habit of receiving 5*l.* notes?—No.

512. You received two within a short time?—Yes.

513. And do you mean to say you have entirely forgotten where you changed them?—Yes; it is very seldom that I change money; my wife generally does that.

514. I understood you positively to swear to that paper; did not you say you knew that blue paper and the handwriting?—No.

515. Look at that paper?—I cannot swear to the writing.

516. Did not you swear that you got that paper?—That is the same paper that I had sent to me.

517. I understood it to be sworn that it was the writing of Mr. Smith?

Mr. *O'Malley* said he intended to prove that.

Re-examined by Mr. *O'Malley.*

518. You have been asked about this, and you said you did not know who sent it; you did not know the handwriting, or where to return it to?—No.

519. But you told us you saw Mr. Medhurst a few days afterwards?—Yes.

520. Did you guess where it came from?—I must guess where it came from, because he asked me if I had received anything, and I said "yes." He asked me if I was satisfied, and I said "yes."

521. By the *Committee.*] For whom did you vote at the election before; did you vote for the Blues or the Reds?—I did not vote at all.

522. Mr. *O'Malley.*] There is one question I forgot to ask you: Had you friends on the side of the Reds; you had friends, I believe?—No, I had not.

523. Some of your friends were on the side of the Reds?—No, I had no friends.

524. By

524. By the *Committee.*] You perfectly understood that the 10 *l.* had come from the Blues?

Mr. *West* said he had answered him to the contrary, and said he thought it came from the Reds.

Mr. *O'Malley* said that was not so. The Witness had said that he saw Medhurst, who asked him if he had received anything, and the Witness said "yes." Then he asked him if he was satisfied, and he said "yes."

525. By the *Committee.*] Mr. Medhurst, you said, asked you if you were satisfied?—Yes.

526. And you said you were?—Yes.

527. Then you were satisfied that the money had come from the Blues?—I could not say.

528. Then you were satisfied that the money had come from the Blues?—I could not say.

529. Did you know that Mr. Medhurst was connected with the Blues?—Yes, I knew.

530. You are on your oath, and you must state the truth, and nothing but the truth; you say that Mr. Medhurst asked you if you were satisfied, and you said you were?—Yes.

531. Did you believe, then, it came from the Blues?—Yes.

532. You said you were satisfied with the 10 *l.*, and you got the 10 *l.*—Yes. *S. Lennard.* 20 April 1866.

533. And you said you changed for Mr. Macdonald, because you were to look after your interest?—Yes.

534. Was it because you thought you were to get another 10 *l.*?—No.

535. You stated to the Committee that you were quite right to vote as you liked; you said you did it because you were to look after your own interest?—Yes.

536. Did Medhurst say he was for the Blues?—He told me he was.

537. Are you a gardener as well as a labourer?—No, not now; I used to work in gardens.

538. After you got those letters you had them read to you, although you cannot read yourself?—Yes, but there was no writing more than you see.

539. But there was, "Stick to the Blues, and more will follow"?—Yes, my uncle read that.

540. Therefore you could have no doubt about that; it was not likely that the Reds would send you a 5 *l.* note and give credit to the Blues?—No.

Mr. John Chappell Vidler was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:

541. I believe you live at Rye, and are Managing Clerk to Messrs. Curtis & Co.?—Perhaps confidential clerk would be the better term; I am not the managing clerk. *Mr. J. C. Vidler.*

542. I believe you know Mr. Richard Smith?—Yes.

543. You have been in the habit of seeing him write?—Yes, occasionally.

544. You have become acquainted with his handwriting in the course of business, and drawing cheques?—Cheques on the London and County Bank.

545. Cheques have passed through your hands?—Yes.

546. By the *Committee.*] You know his handwriting, of course?—Yes.

547. Mr. *Longley.*] You know Mr. Smith's handwriting?—I believe I do.

548. Whose handwriting do you believe that to be (*handing a paper to the Witness*)?—I believe this to be Mr. Richard Smith's writing.

549. And this (*handing another paper to the Witness*)?—I believe this to be Mr. Smith's handwriting—the pencil in the envelope.

550. You are a banker's clerk, and, I suppose, are in the habit of seeing a great many peoples' handwriting?—Yes.

551. By the *Committee.*] Is the direction on the envelope in the same handwriting?—I have some doubts about that.

Cross-examined by Mr. *West.*

552. You say the pencil handwriting and the ink handwriting are alike?—To the best of my belief they are.

553. Have you ever been examined before upon the question of handwriting?—No.

554. Now what is the similarity between these?—It seems to me that the first words, "Stick," are identical.

555. Now, upon your oath, to the best of your belief, is there the slightest resemblance between these two S's or B's?—To the best of my belief, there is a great resemblance in the three first words.

556. Now, I am not asking you about the first words; answer my question, if you please, with reference to the S itself?—There is not the similarity in the S that there is in the other portion.

557. Is there any similarity in the B?—Not so similar, but the "lues" is very similar.

558. You think, because there are some letters that are similar, and others that are dissimilar, it is in the same handwriting; you come to the conclusion, from the similarity of some letters and the dissimilarity of others, that the handwriting is the same?—Yes.

559. Now, what are you?—A banker's clerk.

560. What are you doing here?—I am here to give evidence in this matter.

561. Are you not secretary to the Conservative Club at Rye?—No.

562. That you swear?—Most decidedly.

563. Is there a club at Rye?—There is an Electoral District Association.

564. Are you secretary to that?—Yes.

565. And have you only come to prove this handwriting?—I think it is possible that my evidence may be required in other cases.

566. Now come to the letters; which letters do you say are similar?—To the best of my belief, and my firm judgment, the "tick," in the word "Stick," and the word "to," and the "lues," in the word "Blues," and the word "more;" those are the words I have given you that are identical, in my opinion.

567. You have never been examined before, I believe, upon handwriting?—Never.

568. I believe you are the gentleman who went to the house of Mr. Lennard to get up this evidence, were you not?—Yes. No. Will you allow me to explain; not to get up the evidence, but

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but to improve that which was already got up; to confirm previous evidence.

569. When you went to Mr. Lennard's house, where were those documents produced from?—The first document did not come direct to me from Lennard.

570. Where did you get it from?—It was handed to me by Mr. Tanner.

571. Is he the attorney for the petitioner?—Yes.

572. By the *Committee.*] Which was this?

Mr. *West* said it was the envelope with the pencil writing upon it.

573. When you got it from Mr. Tanner, did you take it to Mr. Lennard, and show it to him?—Yes.

574. Did not you say, "Is this the same envelope as you received the 5 *l.* in"?—Yes. Allow me to explain. He had given me himself information that he had this; and, on getting this information, I endeavoured to get the envelope; but it was not given to me directly from him, but in the way I tell you.

575. Did you go to Lennard, and say to him, "Is not this the envelope in which you received the 5 *l.*"?—Yes, in the presence of his wife, who also acknowledged it.

576. Did you know at that time that neither of them could read or write?—I did not know it, and do not know it now.

577. You have heard it now?—I beg your pardon, I have not been present.

578. By the *Committee.*] You say the wife acknowledged the envelope?—Yes.

579. Mr. *West.*] That is the first?—Yes.

580. Now, there is a second; about the blue; where did you fetch the blue paper from?—Mrs. Lennard called me into the passage leading to her bed-room, and gave it to me herself.

581. Not he?—In his presence.

582. Did he tell you at that time where he kept it?—I saw where she got it from.

583. Where did she take it from?—From a bureau in her bedroom.

584. Did you go up into her bedroom with her?—It is not a question of that. It is a low cottage, all on the ground-floor; only a very narrow passage divides it.

585. You are quite sure that she took it from a bureau?—Yes, I believe so.

586. She did not take it from a box?—No.

587. When you got it, what did you do with it; did you bring it up here to-day?—Yes.

588. What did you do with it then?—I gave it to Mr. Tanner.

589. Now, about the handwriting of the envelope; the direction, you are not so certain about that?—No.

590. You think it is?—I have never said that.

591. Do you or not think it is?—It is not so similar as the other.

592. Do you think that is Smith's handwriting?—I do not think it is; if it is, it is disguised, I should say.

593. Is Mr. Smith a man of education?—No, decidedly not.

594. You think the S's are not so similar, or the B's?—I merely repeat what I have said.

Mr. *West* said it would be for the Committee to compare the B's and the S's.

Mr. *O'Malley* said the evidence of the handwriting was always to the best of belief.

595. By the *Committee.*] You being a banker's clerk, you believe that is the same handwriting?—Being in the habit of examining signatures and handwriting, I believe that. I state my honest belief in the matter.

596. You would cash a cheque upon so much similarity?—Yes.

597. Mr. *West.*] Your knowledge arises from seeing his signatures to his cheques?—And many other things.

598. How many cheques of his have you seen in your life?—Perhaps 20.

599. Does he bank with you?—No; but from the fact of having to pay cheques paid in by their customers, and having cheques of bankers within 20 miles round, I am familiar with the handwriting of five out of 10.

600. What bank does he bank with?—The London and County.

601. Have you seen him write?—Yes.

602. Where?—In his office.

603. What have you seen him do?—Make out bills, and receipt them.

604. What is he?—An innkeeper, and a wine and spirit merchant.

605. We have heard something about a birthday party; you have had a great deal to do with them?—Birthday treats?

606. Treats in Rye?—No.

607. You have not paid for them?—I have paid for meetings with the money subscribed by the members, in several instances, as secretary.

608. I should be very happy to hear the history of where you got the money from, but I did not ask you that question; but I ask you whether you had ever paid for any treats in Rye?—If I had known that the question would have been asked, I should have been very glad to show you our subscription list.

609. Will you answer the question; have you been in the habit of paying for treats at Rye?—My answer is, as secretary of this association, I have received subscriptions from members, out of which I have paid for the expenses of these meetings.

610. If you had said "yes," that would have been enough, and I should have been done with it long ago?—I beg your pardon, your question was not one to be answered with "yes," or "no."

611. Do you mean to say there are no people who attend those meetings who are not members?—I think I may say so.

612. Do you mean to pledge yourself that at those meetings there was nobody present but members?—At one of the earliest meetings, parties were invited to attend, and we asked them to read our rules and join the association. They attended the meeting, but they declined to join our association, and left us that evening with that qualification. We never had anyone there who were not members.

613. Were they paying members, all of them?—No.

614. Then do you elect those members that do not pay?—By a resolution passed, there was a rule that a subscription should be entered into to defray the expenses of those members who had not paid the subscription.

615. Is it not this, that there are certain Conservative gentlemen, of whom you are the secretary, who subscribe for a certain number of treats for their friends who cannot subscribe for themselves?—I think the entire amount.

616. Give any explanation you like afterwards, but

but answer the question "yes" or "no," if you please?—There are certain subscriptions, not treats; the subscription is only 5*s.* a year.

617. By the *Committee.*] Do the richer members subscribe for those who cannot subscribe for themselves?—My largest subscription is 10*l.*, and my smallest 5*s.* But a resolution was passed that additional subscriptions should be had, to pay for those who could not afford to pay for themselves.

618. Mr. *West.*] A good many meetings of that sort, in which treats took place, happened just before the election?—We have continued regularly from the commencement.

619. Were there a good many of the people who could not afford to subscribe, and whose subscriptions were paid for by other people, electors of Rye?—I doubt if you would find 10 members who did not pay their own subscriptions.

620. We would rather not have your doubts; have you got a book here?—No.

621. Are there not systematic meetings called at election time?—No.

622. Was there one at Jarrett's?—Yes.

623. And one at the "New Inn"?—No.

624. One at the "Robin Hood"?—Yes.

625. At Iden's?—Yes.

626. At the "Horse and Groom Inn"?—Yes.

627. And at Duff Butcher's?—Yes, all subscribing members.

628. Do you mean that none of those who had not paid their subscriptions were present?—I am speaking of the landlords of the houses which you have mentioned.

629. Now with regard to this man Roof, have you not seen him lately?—I saw him yesterday afternoon.

630. Have you got him here as a witness?—No, not to my knowledge.

631. Did you ask him to come?—No.

632. That you swear?—Most decidedly.

633. Did you examine him?—Never.

634. Be careful?—I am perfectly clear in the matter.

635. You did not ask him to come and be examined?—No.

636. And did not you make him any little offer to come?—No.

637. Not make him any offer, small or great, to give you information?—Never.

638. What was it you said to him when you saw him last?—When?

639. The last time?—I do not know when.

640. By the *Committee.*] Yesterday afternoon?—I only saw him yesterday as a looker on at the station when the train was leaving. Mr. *J. C. Vidler.* 20 April 1866.

641. Mr. *West.*] You had no conversation with him?—It might be a passing remark, "Good afternoon; here we go," or something like that.

642. When did you last have any conversation with him?—If you ask me when I last had a conversation with him, I should say it might be six months previous to the election, possibly.

643. Will you swear that you have had no conversation with Roof since the election?—I may have asked him, if I met him in the street, if his gout was better, but I never had any confidential conversation with him in my life.

644. Never had any conversation with him about the election, or this Committee?—Most decidedly not.

645. That you swear?—Yes.

646. *Chairman.*] Ask whether Mr. Roof was an agent.

Mr. *West* said he was not.

647. What is Roof?—A bricklayer.

648. He is a worn-out bricklayer, and cannot work?—Yes, decidedly.

649. You know he is not in very good circumstances?—Yes.

650. You were very charitable to him the last conversation you had with him?—Not to my knowledge.

651. Did you not make to him a very handsome offer?—No.

652. Did not your heart open to him when you saw his sad condition?—No.

653. It has not opened at all since the election?—Not to my knowledge.

654. Notwithstanding his condition?—He has never applied to me.

655. Did you offer any to him?—No.

656. You did not offer to him, if he did certain things, he should not want for two years?—No.

657. That you swear?—Most decidedly.

Re-examined by Mr. *O'Malley.*

658. You being acquainted with the handwriting of Mr. Smith, you believe this to be his?—Yes, I believe so.

659. You have other proofs, but Mr. Smith will come and swear to this?—I swear, to the best of my belief, from the opportunities I have had of examining his handwriting.

RICHARD SHARWELL LANCASTER, was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:

660. WHAT are you?—By profession or occupation, do you mean?

661. Yes?—A tobacco-pipe maker.

662. Will you tell me what you know about that envelope (*handing a paper to the Witness*)?—I received this from Mrs. Lennard.

663. When?—About three weeks ago.

664. Where was she when she gave it to you?—At her house; it was not given to me at the house.

665. Where was it given to you?—She said she would not give it to me; but I saw her give it to her daughter, and the daughter carried it out of doors in the road and dropped it. I followed her and picked it up, because she said she would not have it said that she gave me the envelope.

666. That is the envelope (*referring to the envelope*)?—Yes, that is the envelope, I swear. *R. S. Lancaster.*

667. What did you do with it when you got it?—Brought it to Rye.

668. What did you do with it?—Gave it to the person who deputed me to go after it.

669. Who was that?—Mr. Tanner, that gentleman there.

Cross-examined by Mr. *West.*

670. Mr. Tanner told you to go and pick up what evidence you could?—He told me to go and try to get the envelope.

671. And you went and picked it up in the street?—Yes, I picked it up.

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672. Was it a fine day or a wet day?—It was the evening.

673. Was it a dry evening or a wet evening?—It was dry.

674. Where did Mrs. Lennard fetch the envelope from?—From a box.

675. That is the envelope (*referring to an envelope*)?—Yes.

676. You know nothing about that other paper?—No, I am only speaking as to the envelope.

677. You say you saw her take it out of the box, and give it to her daughter, and the daughter went and dropped it in the street, and you picked it up?—Yes, I picked it up, and brought it to Rye, and gave it to Mr. Tanner.

678. What was written on it when you picked it up?—"Stick to the Blues, more will follow," I believe.

679. Was it in ink or in pencil?—In pencil.

680. Was it addressed as it is now addressed?—Yes.

681. You are a process-server at Rye?—Yes.

682. Are you the servant of Mr. Tanner?—I certainly serve warrants on parties.

683. For Mr. Tanner?—Yes.

684. And Mr. Payne?—Yes.

Re-examined by Mr. *O'Malley*.

685. You served warrants on some of the persons in this case?—Yes.

686. And you work in the employment of different solicitors, serving documents and everything that is necessary?—Yes.

687. Have you seen this paper before, the paper with "Stick to the Blues"?—No.

688. By the *Committee*.] Can you read what is on that paper?—"Private and confidential. Stick to the Blues, and more will follow; 10 grogs and tobacco," I believe.

Mr. *O'Malley* said it was four grogs.

On Mr. *Daniel Southerden* being called,

Mr. *West* wished to know if Mr. O'Malley had closed his case of bribery on that point.

Mr. *O'Malley* said he could not say that he had. This was not like the case of a scrutiny, where each case had to be closed.

Mr. *West* said he wished to know whether he had concluded the case of bribery or not.

Mr. *O'Malley* said he could not tell, and he would offer such evidence as he thought proper to the Committee.

Mr. *West* remarked that having stated that, he would make his objection to the evidence at the proper time.

Mr. Daniel Southerden, was called in; and, having been sworn, was Examined by Mr. *O'Malley*, as follows:

Mr. *D. Southerden.*

689. What are you?—A Coach Builder.

690. Do you know Edward James Heath?—Yes.

691. Do you know a man of the name of John Ruby?—I do not know whether his Christian name is John.

692. But you know a man named Ruby?—Yes.

693. Do you remember his calling upon you in April last?—I remember seeing him in April.

694. Did he call upon you in April last?—I believe he did.

695. Did he speak to you on the subject of your vote?—No, not particular.

696. Did he speak of it?—Well, I cannot say that it was not mentioned.

697. Then you mean to say he did speak to you?—Yes.

698. You are here upon your oath, and just recollect; did he speak to you on the subject of your vote?—I will be hanged if I know if he did; I do not know what it was.

699. Did he speak to you on the subject of your vote?—He might do so.

700. Did he?—I do not recollect, but he might.

701. Come, recollect it; you were served with a Speaker's warrant, were you not; you come here upon a Speaker's warrant?—Yes.

702. Now, since you got the warrant, you have had time to think of those things; did not he speak to you about your vote?—(*The Witness hesitated*).

703. Come, truth is of more importance to you than anything else?—I will not swear that he did or did not.

704. You told me a short time ago that he had, but you did not know what it was; did he speak to you about your vote?—(*The Witness hesitated*).

705. The *Chairman*.] Yes or no; did he, or do you recollect it?—I do not recollect.

706. Mr. *O'Malley*.] You know Mr. Heath?—Yes.

707. Did not you tell Mr. Heath what he said to you?

Mr. *West* said that that was a good stretch in the shape of a question.

Mr. *O'Malley* said he had a right to cross-examine him, as he was a hostile Witness.

708. You say you do not recollect?—(*No answer*).

709. By the *Committee*.] Did you tell Mr. Heath, or do you not recollect?—(*No answer*).

710. Mr. *O'Malley*.] Do you recollect when you told Mr. Heath?

Mr. *West* stated that the Witness had not said that he told Mr. Heath.

711. Mr. *O'Malley*.] Did you speak to Mr. Heath about that conversation?—I do not believe I did.

712. Did he speak to you about 20*l*.; Mr. Ruby?—(*The Witness hesitated*).

713. By the *Committee*.] Did Mr. Ruby ever speak to you about 20*l*.?—There was a mention of it in some way.

714. In what way; come, come, tell us the truth; we must have it?—I believe I offered him a bill of sale, if I could raise some money.

715. When was that; in April last?—I do not know.

716. When

716. When was it?—I do not know.

717. I will see if I cannot bring it to your memory by-and-bye; take care, you are on your oath; did you ask him for anything?—I asked him for money on a bill of sale.

718. Did not you ask him for 20*l.*?—That might be the sum; I do not know.

719. Was not that so; you say something was said about money; was anything said about Mr. Mackinnon?—No.

720. Upon your oath, did not he say to you that he would give you 20*l.* if you would vote for Mackinnon; now I will have you pledge your oath to that?—(*No answer*).

721. By the *Committee.*] It is a simple question to answer one way or the other; did he say you should have 20*l.* if you would vote for Mackinnon?—Probably he did. I do not believe he did.

722. By the *Committee.*] Which do you mean?—(*No answer*).

723. Mr. *O'Malley.*] I ask you, upon your solemn oath, did not he?—(*The Witness hesitated*).

724. How long are we to wait for your answer?—To the best of my knowledge, he did not.

725. Did he say anything to you about voting for Mackinnon?—To the best of my knowledge, he did not.

726. That you swear positively, as I understand you?—I have no recollection whatever.

727. Was not your wife present?—No.

728. Did not you, after consulting her, then say you could not do with that, that you must have 50*l.*?—We might very likely consult together.

729. About what?—About the 50*l.* or the 20*l.*

730. Did you consult together?—I daresay we did.

731. About the 20*l.*?—I do not recollect.

732. Had you promised to vote for Macdonald before you saw Mr. Ruby?—Yes.

733. Did you vote for Macdonald?—No.

734. Now, a short time after Mr. Ruby was there, you say something was said when Mr. Ruby was there about a bill of sale?—Yes.

735. What was said about the bill of sale?—For whatever money I could get I would give a bill of sale.

736. Did you ask him for money before you said that?—About the bill of sale.

737. Before you said that, that for whatever money you could get you would give a bill of sale, did you ask him for money?—(*The Witness hesitated*).

738. Time is precious; you can tell me, did you ask for money before you said that, for whatever money you could get, you would give a bill of sale?—I believe so.

739. How much did you ask him for?—£. 50.

740. Did you tell him you were in distress?—Yes.

741. Did you tell him you wanted work?—Yes.

742. Did you tell him you had not money to buy materials for your work?—Yes.

743. Now you see you are beginning to recollect the conversation very well. Just go on and refresh your memory. Did you speak at all about the election that was coming on?—(*The Witness hesitated.*)

744. There, you begin to drop again, when I ask you that. Did you speak about the election?—I do not recollect that I did.

745. Do you recollect that you did not. Just tell me this, where was the conversation about the bill of sale, when Mr. Ruby came; at your own house?—No, in the shop.

746. Did you apply to Mr. Ruby and ask him for a loan, or did he come to you; which was it. Did you go to him for a loan, or did he come to you?—(*The Witness hesitated*).

747. It is of no use; we will get at it at last; it is only waste of time. Did he come to you, or did you go to him?—He came to the shop.

748. Before he came to the shop, had you ever spoken to him about the bill of sale?—No, never.

749. Had you ever got a loan from him before?—No.

750. Before that time, had you ever got a loan from him?—No.

751. When he came in to see you, how did the conversation about the bill of sale begin; just tell me that?—I think he asked me if I wanted money.

752. Had he ever asked you that question in his life before?—No.

753. Did not it surprise you very much?—No.

754. What did you say to that?—I told him I wanted to raise some money upon a bill of sale.

755. Did he agree to lend you the money on the bill of sale?—No; I had no money on the bill of sale.

756. You never gave a bill of sale?—I had no money of Mr. Ruby.

757. I am coming to that by-and-bye.

758. By the *Committee.*] Who was Mr. Ruby; we have never heard who Mr. Ruby is.

Mr. *O'Malley* said he hoped to show that Mr. Ruby was the agent of Mr. Mackinnon.

Mr. *West* said he was told that he was the next door neighbour of the Witness.

The *Chairman* said the Committee wished to know what he was by profession.

759. Mr. *O'Malley.*] What is his business?—A baker and miller.

760. Does he live next door to you?—Next door to my shop.

761. He had never offered you any money before?—No.

762. And you never asked him for a loan before?—No.

763. You say you got no money?—No.

764. A short time after that, did Robert Hoad and Joseph Judge call upon you?—Robert Hoad did, at my shop.

765. Was Joseph Judge with him?—No.

766. Just recollect; you do not think he was?

767. By the *Committee.*] Was it shortly after or before?

Mr. *O'Malley* said it was shortly after.

768. By the *Committee.*] When Mr. Hoad came, did he order any work of you?—Yes; I had an order from him.

769. Did he order any work of you?—Yes.

770. What did he order?—A cart.

771. What is Mr. Hoad?—A shipwright.

772. What sort of cart was it that he ordered?—What is commonly called a dog cart.

773. Had he ever ordered a cart from you before?—Some years ago I made him one.

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774. How many years ago?—I do not know how many years ago that was.

775. You had not materials to make up, I believe?—I had not materials to go on with other jobs as well as that.

776. Did he offer you money to buy timber?—Not over and above the 50 *l.*

777. Did you speak to him again about the 50 *l.*?—Yes.

The *Chairman* remarked that it had never come out that he had got that 50 *l.*

Mr. *O'Malley* said they had not come to that yet.

Mr. *West* said there was no doubt he had got the 50 *l.*

778. Mr. *O'Malley.*] What did he say about the bill of sale?

Mr. *West* said he was quite willing to give Mr. O'Malley the bill of sale.

Mr. *O'Malley* said he did not wish to have it, and wished to be allowed to conduct his case in his own way.

779. What did he say about the bill of sale?

Mr. *West* said that Mr. O'Malley had no right to call it a bill of sale at present.

Mr. *O'Malley* replied that the Witness had called it a bill of sale himself, and he was only dealing with what he had said.

780. What did he say about the bill of sale to you?—Mr. Hoad was asked about the money.

781. Who asked Mr. Hoad about the money; did you?—Not in the onset.

782. When Mr. Hoad came to you, who spoke first about money on the bill of sale?—I spoke about both.

783. What did you say?—I told him I wanted to hire 50 *l.*

784. Had you ever received a loan from him before?—No.

785. Perhaps you did not then know that he was a supporter of Mr. Mackinnon?—I do not say that; I do not know that.

786. Then perhaps you will go further, and say that he was?—I had every reason to believe that he was.

787. Did he tell you so?—No.

788. He never told you so?—No.

789. Who told you so; did Ruby?—No.

790. But you had every reason to believe that he and Ruby were, had you not?—Yes.

791. Now, had you ever applied to Hoad for a loan before?—No.

792. Had he ever lent you money before?—No.

793. Had you ever known anything of him, excepting his having ordered a cart some years before, as you say?—On little business transactions besides.

794. When had you the last business transactions?—I do not know.

795. Was that on the business transactions that you had seen him?—All of any consequence.

796. Now, when you asked him about the bill of sale, what did he say?—He said he would raise me the money.

797. May I ask what the bill of sale was upon?—Yes; upon my household furniture.

798. Was there 10 *l.* worth of household furniture in your house at the time?—Yes; there was enough to cover the amount at the time.

799. Will you swear there was 10 *l.* worth?—Yes; enough to cover the amount.

800. Do you remember you wife writing a letter to Mr. Hoad after that?—No.

801. Just recollect, you may get into trouble about this; did not your wife write a letter to Mr. Hoad about that, by your desire?—She might write a note to him, but not by my desire.

802. Did she read it to you?—I do not recollect.

803. Will you swear she did not?—No.

804. Now Mr. Heath was present, and I ask, will you swear that she did not read that letter to you?—No, I will not swear it.

805. Do not you know she did?—No.

806. You will not swear she did, and you will not swear she did not?—No.

807. Upon your solemn oath, do not you know she did?—I do not recollect.

808. I do not ask you the contents, but did not she read a letter to you that she had written to Mr. Hoad?—No.

809. Did Mr. Heath see the letter?—I do not know.

810. Did not Mr. Heath take that letter, and did not you see it given to him to take?—I do not recollect.

811. Now you swear, upon your oath, you do not recollect anything about it?—I swear I do not recollect it.

812. Could such a thing happen without your recollecting it?—I do not recollect it.

813. Could it have happened without your recollecting it?—I do not recollect it.

814. You swear you do not recollect whether a letter was written or not?—I do not recollect.

815. Did your wife write a letter to Mr. Payne afterwards?—Yes, I believe she did.

816. And read it to you?—No.

817. Did you tell her what she was to write?—No.

818. Did she tell you what she had written?—Afterwards, perhaps.

819. What did she tell you?—I do not recollect.

820. Did she tell you she had written to Mr. Payne to ask him to release you from your promise?

Mr. *West* objected to the question.

Mr. *O'Malley* said he had a perfect right to cross-examine the Witness.

Mr. *West* said he had never heard of such a question being put. He was first asked, "Did your wife write a letter?" he says, perhaps she did. Then he is asked whether she read that letter to him before she sent it? he says no; and that is to cast something upon Mr. Mackinnon, the sitting Member; and the Committee were asked to be permitted to hear the letter of a woman read, and something else, without having read it to the husband.

Mr. *O'Malley* said he was asking what was said to her husband.

Mr. *West* said the question was still objectionable.

The *Chairman* said that the Witness had stated

stated that afterwards perhaps she might have told him what she had written.

821. Mr. *O'Malley.*] Can you read writing (*referring to a letter*)?—I cannot see it there.

822. Look at it?—That is her writing.

823. Did not she show you that letter before it went?—No.

824. Upon your oath, did not you know what your wife was writing to Mr. Payne about?—No, I did not.

825. The subject of her letter, not what the the words were?—I did not know she had written until after the letter had gone.

826. You swear that?—Yes.

827. You did not know that she had written until after the letter had gone; you positively swear that?—Yes.

828. How soon after the letter was gone did you know?—It might be the same day, or a day afterwards.

829. Who took the letter?—I do not know.

830. Was that after you had spoken to Hoad about the bill of sale?—Before, I believe.

831. Now, take care of yourself; will you swear it was before, before you had spoken to Hoad about the bill of sale, this letter was written?—I believe it was.

832. It was before?—Yes.

833. Then you recollect when the letter was written?—No, I do not recollect the date.

834. Had she told you she had written before you saw Hoad, before Hoad came and ordered the cart, and you spoke about the bill of sale?—I believe so.

835. Did your wife receive an answer to this?—I believe she did.

836. Did she tell you she had?—I daresay she did.

837. Did she show it to you?—She might show it to me.

838. Did she read it to you; will you swear she did not?—I do not know.

839. Where is the letter?—My wife has got it.

840. You are sure of that?—I suppose so.

841. And has brought it up?—I suppose so.

842. Well, now, after you got that answer back, after this letter was written, did your wife go to Mr. Hoad?—I do not know.

843. You do not know that at all?—No.

844. Did Mr. Hoad call upon you one evening after that?—He might, but I do not recollect.

845. Oh, yes, you do?—No, I do not.

846. Now, just tell me, had Hoad promised you 50 *l.* before your wife wrote that letter?—I believe not.

847. Just recollect this; before your wife wrote, had Hoad promised you 50 *l.*?—I do not recollect.

848. Did Hoad call on you one evening rather late, and tell you you should have 50 *l.*?—I was told I could have 50 *l.*

849. Was it after this letter was written that you were told so?—I daresay it was.

850. You were told by Hoad, were you not?—Yes.

851. After this letter was written?—I do not know what letter it is.

852. Will you swear it was not the very day on which Hoad called, that your wife had written the letter to him?—I cannot swear, because I do not recollect.

The *Committee* asked whether they were going to produce the letter.

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Mr. *West* said he was going to put it in cross-examination, and handed the letter to Mr. O'Malley.

Mr. *O'Malley*, on referring to the letter, said that was not the letter he had intended.

Mr. *West* said the Witness had been asked whether Mrs. Southerden did not write a letter, and he had handed him a letter written by Mrs. Southerden.

Mr. *O'Malley* said he had asked the Witness whether on the morning of the day on which he was offered 50 *l.*, Mrs. Southerden did not write.

Mr. *West* said he produced a letter written by Mrs. Southerden, in which she asked for money.

The *Chairman* said the Committee thought there was another letter.

Mr. *West* said he was willing to put the letter in; but he could not put it in as his evidence, and he did not know how his friend could put it in.

The *Chairman* said Mr. O'Malley had a letter which they thought was the letter referred to.

Mr. *O'Malley* said he asked whether this was not a letter the wife had written to Payne by her husband's direction, and he says, first, he did not recollect; then he says, not by his direction, but that his wife did write.

Mr. *West* said he had not asked about Payne, but Hoad.

Mr. *O'Malley* said he had distinctly asked about Payne. He said his wife had written. And he now asked him when Mr. Hoad had promised him the 50 *l.*, whether on that day his wife had not written.

Mr. *West* said the only letter that had been asked about was the letter to Hoad.

Mr. *O'Malley* contended that he asked about a letter written to Mr. Payne, and on referring to the shorthand writer's note, it was found that Mr. O'Malley had asked about a letter to Payne.

853. Mr. *O'Malley.*] Now, I ask you whether Mr. Hoad did not call upon you in the evening and promise to let you have 50 *l.*?—Yes.

854. Did not your wife on the morning of that day write a letter to Mr. Hoad?—I do not recollect.

855. Is that all you will say; did she write at all to Mr. Hoad?—I believe she did.

856. Now, there is a letter put in; look at that (*referring to a letter*); is that the letter she wrote, and when was that letter written?—There is no date to it.

857. Do you remember when it was written?—No.

858. That was not about the 50 *l.*?—No.

859. Did she not write to him about the 50 *l.*?—I suppose this (*referring to a letter*) was after we had come to an agreement, and before it was finally settled.

860. I am

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860. I am asking you now about a letter before you had come to an agreement?—I do not know.

Mr. *West* said that Mr. O'Malley had asked his own Witness about half-a-dozen questions which he ought not to have asked, and he now wished to object to his cross-examining him in this way.

Mr. *O'Malley* said he had a right to treat the Witness as a hostile witness, and cross-examine as such.

The *Chairman* said he might cross-examine, but there was a limit to everything.

861. Was there not a letter written about the 50 *l.* before Mr. Hoad called upon you in the evening?—I do not know.

862. When Mr. Hoad called in the evening did he tell you he had received a letter?—I do not recollect.

863. You say when it was finally agreed; when was it finally agreed about the bill of sale?—I do not know.

864. Was it finally agreed?—Yes.

865. How long before the election was it that it was finally agreed?—I do not know.

866. How many days?—I do not know.

867. About how many?—I made no memorandum, and I do not know.

868. About how many?—I could not say; about a fortnight.

Mr. *West* said he could give Mr. O'Malley the bill of sale.

Mr. *O'Malley* said he would take it then.

869. Is that the bill of sale (*referring to a bill of sale*)?—Yes.

870. Was that not done within a fortnight of the election?—I do not know.

Mr. *O'Malley* said the date was put in in ink in different handwriting, the 15th of June. No doubt Mr. Hoad would come to prove when it was given. It was "between Daniel Southerden, of Rye, in the County of Sussex, coach builder, of the one part, and James Collins Hoad, Robert Jones Hoad, and Lewis Hoad, all of Rye aforesaid, shipowners, co-partners, of the other part. Whereas the said Daniel Southerden, having occasion for the sum of fifty pounds, hath applied to them the said James Collins Hoad, Robert Jones Hoad, and Lewis Hoad, to lend him the same, which they have agreed to do, on having the repayment thereof with interest secured in manner hereinafter mentioned;" and so on. Then there is the schedule.

871-2. You handed this over when you executed it?—Yes.

873. You put your name to it?—Yes.

874. Who is this gentleman who was present as a witness; G. Slade Butler, the agent for the sitting Members?—Yes.

875. Did you get the 50*l.* then?—No, I had it before, partly.

876. How much did you get when this was executed?—I might have had 20 *l.*, perhaps.

877. I am not asking what you might have had, but what you will swear you had when this was executed?—I had drawn 20 *l.* at that time.

878. Before this was executed; how much did you get when this was executed, that is what I want to know?—(*No answer*).

879. By the *Committee.*] You say you got 20 *l.* before; how much more did you get when it was executed; did you get any more?—I received a sum in money, and a sum to be paid for timber. Mr. Hoad was accountable for some timber that I had.

880. Mr. *O'Malley.*] How much money did you get when this was signed; what did you get?—I had 40 *l.* altogether.

881. How much when this was signed; did you get a farthing when this was signed?—No, there was a balance due when that was signed. I had got 40 *l.* before.

882. You told us, in the evening when Mr. Hoad called, that you should have 50 *l.*; did you get, two or three days afterwards, 10 *l.* from him?—I did not have the money all at once.

883. Did you get 10 *l.* some time afterwards; if you will tell us just how it was; you know, I ask you upon your oath, up to that time was one word said about the bill of sale; first of all, did you get the 10 *l.*?—I do not recollect at all how the money was paid to me; it was paid to me at different times.

884. You were in difficulties at that time, and your affairs were in the hands of Mr. Atkins to settle?—Yes.

885. Mr. Atkins wanted 25 *l.* to settle, did he?—Yes.

886. Did you apply to Mr. Hoad for 20 *l* to settle with him?—The 20 *l.* that Mr. Atkins had was part of the money.

887. You sent to Mr. Hoad to get some money from him?—Yes.

888. Up to that time, will you swear that one word was said about a bill of sale?—I offered a bill of sale when we first talked about the money.

889. You offered a bill of sale; did they agree to take a bill of sale?—Yes, or else I should not have had the money.

890. Did you never say to anyone that you were badly treated, because you never expected it would be a bill of sale?—No.

891. You swear that?—Yes.

892. Do you know Mr. Heath?—Yes.

893. Did you never say anything to Mr. Heath about it?—No.

894. Did not you complain of the exposure of getting into the "Gazette;" you know the "Gazette" that publishes an account of all the bills of sale?—I heard it was in the "Gazette," but made no complaint about it

895. No complaint to anyone?—No, not that I recollect.

Cross-examined by Mr. *West.*

896. You are a coach builder at Rye?—Yes.

897. And Mr. Hoad is a timber merchant?—Yes.

898. You owed him some money for some timber?—Not at that time.

899. Were you going to build a dog-cart for him?—Yes.

900. And he was to supply you with the timber?—Yes.

901. He had supplied you with timber for some time before, had he not?—Not before then.

902. Who had supplied you with timber for the dog-cart, that you made for Mr. Macdonald?—I never made him one.

903. Did not you make one for Mr. Macdonald?—No.

904. What was it you did make for him?—A small wicker phaeton.

905. When

905. When did you make that for him; your memory is not very clear?--No.

906. When did you make it for him?--In the same year.

907. By the *Committee.*] Was that in 1865?—Yes.

908. Mr. *West.*] In April you were in difficulties, were not you?—Yes.

909. Did you make an assignment for the benefit of your creditors?—No.

910. What did you do for your creditors?—Put some money in Mr. Atkins's hands.

911. Had you agreed in April to pay your creditors 4 *s.* in the pound if you got the money?—Yes; I made no deed of assignment.

912. For the purpose of getting money, did you tell Mr. Ruby you wanted to raise all the money you could upon your furniture?—Yes.

913. Is Mr. Ruby a connection of Mr. Hoad's by marriage?—They are related, I believe.

914. You applied to Mr. Ruby first for the money to raise it?—The first mention was made to Mr. Ruby about it.

915. To Mr. Ruby?—Yes.

916. Then after that did your wife write to Mr. Hoad?--That I do not know.

917. Whether she did or not, did you afterwards see Mr. Hoad?—Yes.

918. Does Mr. Ruby live next door to you?--Next door to my shop.

919. Did Mr. Hoad advance to you, or agree to advance to you, in the month of April, a sum of 50 *l.*, in order that you might pay 4 *s.* in the pound to your creditors, upon your giving him a bill of sale, which was executed on the 15th of June?--Yes, about that time.

920. Is that bill of sale duly registered in the office?—Yes.

921. Did Mr. Hoad ever in his life canvass you for Mr. Mackinnon?—That I will not swear.

922. Did Mr. Hoad ever, during any part of this transaction, ever name Mr. Mackinnon to you; now be careful?—I do not recollect that he did.

923. And you said that this bill of sale was registered, and that it was in the "Gazette," or in some newspapers at Rye?—I heard of it.

924. That was before the election, was it?—I think so.

925. I suppose if you heard of it everybody else in Rye heard of it; was it in the local papers?—It was in some of the papers before the election.

926. Is that your wife's handwriting, that letter that was put into your hand?—I think that is her writing.

Mr. *West.*] Now, my friend will put that in if he likes.

Mr. *O'Malley.*] I have no objection to it.

The letter was as follows:—

"Mr. Hoad,—Sir, I am much in want of money to-night, as I am disappointed of receiving some of two parties. Would you kindly lend me 1 *l.* on account, or I will pay you as soon as I do receive some.

I am, Sir, your's respectfully,
D. Southerden."

927. By the *Committee.*] Whom did you vote for the last time?—Mr. Mackinnon.

928. Whom did you vote for on the occasion before, the Blues or the Reds?—I do not know, it is so long ago.

929. It was 1859?—I was not in Rye then.

Mr. *West* said the last contested election was in 1853.

930. Did you give part of the money, 20 *l.* of the money, which you received of Mr. Hoad, to a man named William Atkins?—Yes.

931. Was he the man who valued the furniture contained in the bill of sale?—No, I believe not.

932. Was he an auctioneer?—Yes.

933. Was he the person who is to pay your creditors the composition of 4 *s.* in the pound for you?—Yes.

Re-examined by Mr. *O'Malley.*

934. You were asked about handwriting; put on your glasses and look at that.

Mr. *West* said that that did not arise out of his cross-examination.

The *Witness* (*after referring to the letter*), That is my wife's handwriting.

935. Mr. *O'Malley.*] You were asked about a wicker phaeton; how long ago is it that you made a wicker phaeton for Mr. Macdonald?—Some time last year.

936. Was it not in 1864?—No.

937. Was it not really in 1864; do not you know that Mr. Macdonald was not there before the election for a long time?—(*The Witness hesitated*).

938. You can answer my learned friend and cannot answer me?—It was not had home till 1865.

939. Was Mr. Hoad's cart ever made?—Yes.

940. When was it sent home?—I do not know exactly how long it has been sent home.

941. You know; when was it sent home?—It might be two months or three months ago; I cannot say it was finished a good while before he had it.

942. How long was it finished before he had it; when did you begin to make it?—In last year.

943. Did you begin to make it last year?—Yes.

944. Who was helping you to make it?—I made it myself.

945. Had you any men to assist you?—No.

946. You made it by yourself?—Yes, except the apprentice boy.

947. What was the apprentice boy's name?—Stocks.

948. Have you ever worked for yourself at all since this bill of sale was made?—Yes.

949. Have you not been working for another man?—I do now.

950. How long ago?—A month before last quarter day.

951. Was the cart sent home before that?—Yes, I suppose it was; it was finished before that.

952. Will you swear it was sent home before that?—(*No answer.*)

953. Now, this timber you speak of; did you get it from Mr. Hoad?—No.

954. He does not supply that timber for your trade?—He supplied me with it.

955. Did you buy it from him, or did you get it from some one else who paid for it?—He was answerable for the payment of it.

956. Answerable

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956. Answerable for the payment to another person?--Yes.

957. He does not deal in the sort of timber that you use; you never dealt with him for timber?--Not to any large amount.

958. How much have you ever dealt with him? --Very trifling, what I have ever dealt with him.

959. Now you have been asked whether Mr. Hoad ever canvassed you for Mr. Mackinnon. Did any one ever canvass you for Mr. Mackinnon?--I do not recollect that I was canvassed for him.

960. How came you to break your promise to Mr. Macdonald, if no one ever canvassed you for Mr. Mackinnon. Just tell the Committee how it was that you came to break your promise to Mr. Macdonald, if no one canvassed you for Mr. Mackinnon; just answer that question. You say when Mr. Mackinnon came himself you did not promise. Did Mr. Mackinnon come?--I never saw him.

961. Did Mr. Ruby ever canvass you?--I do not recollect that he did.

962. Just try and recollect; did he, or did he not?--I do not think he did.

[Adjourned till to-morrow, at Eleven o'clock.

Saturday, 21st April 1866.

THOMAS WILLIAM EVANS, Esq., in the Chair.

The Names of the Members were called over—All present.

Mrs. Mary Ann Southerden, was called in; and, having been sworn, was Examined by Mr. *O'Malley*, as follows:

Mrs. *M. A. Southerden.*

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963. You are the wife, I believe, to Daniel Southerden, who was examined here yesterday? --Yes.

964. Do you remember the last contested election for the borough of Rye?—Yes.

965. Do you know from your husband that he had promised Mr. Macdonald his vote on that occasion?—Yes, I do.

966. Do you remember, after he had promised his vote to Mr. Macdonald, a person of the name of Robert Hoad calling?—To solicit the vote?

967. Yes?—No, he did not.

968. Did he call at all?—No, he did not call at all.

969. Never called at your house?—Not about the vote.

970. Did he ever call at your house after Mr. Macdonald had been there?—He once called outside the house about some light cart work.

971. Robert Hoad never asked your husband for his vote?—I am not aware that he did; never.

972. Did you ever hear him ask for it?—No, I did not.

973. Do you know a man of the name of Heath?—I do.

974. Did he live with you?—Yes.

975. Did he take his meals with you?—Yes.

976. Have you not spoken about this to Mr. Heath?—I have.

Mr. *Keane* objected to the question.

977. Mr. *O'Malley.*] When you, and your husband, and Mr. Heath have been at your meals, has not the subject of Mr. Hoad been spoken about?

Mr. *Keane* objected to the question.

The Witness was requested to withdraw.

Mr. *O'Malley* submitted he was entitled to ask the question.

Mr. *Keane* contended that he could not ask the question.

The *Chairman* said that the Committee had made up their minds that the question might be put.

The Witness was then called in.

978. Mr. *O'Malley.*] I was asking you whether the subject of Hoad's visit had not been discussed between you and your husband in his presence? —I do not remember it ever has between me and my husband.

979. Will you swear it has not?—In Heath's presence?

980. Yes?—As to Mr. Hoad coming for the vote?

981. The subject of Mr. Hoad's visit to you? —Regarding the vote?

982. The subject of Mr. Hoad's visit to you? —It has been mentioned, about his coming about work.

983. Was it not mentioned then that Mr. Hoad asked your husband to vote for Mackinnon?—I do not believe he ever asked him to vote for Mackinnon.

984. Was not it mentioned that he had, and did not your husband say that he had, or did not you in your husband's presence?—I do not think there has been anything said about it.

985. Will you swear you did not?—Yes, I have sworn.

986. It was not mentioned?—I do not remember that it was.

987. It might have been mentioned?—Yes.

988. We have been talking about Mr. Hoad? —It might have been mentioned about Hoad asking for his vote for Mackinnon; Mr. Mackinnon, Mr. Daws, and Mr. Butler called at our house, and solicited our vote in the usual way.

989. Did not your husband say in your presence

ence, or you say in your husband's presence, to Mr. Heath, that Mr. Hoad has asked your husband's vote for Mackinnon?—I do not believe he ever asked him for his vote.

990. Did not you say to Mr. Heath, in the presence of your husband, or your husband in your presence, say that he had?—I do not believe I ever did.

991. Will you look at that letter; I want you to look at that letter (*handing a letter to the Witness*)?—I did not think it was on blue paper.

992. Blue paper would be the most proper colour?—No, sir, pink paper (*after referring to the letter*). That is my writing.

993. Will you read it, if you please?

994. By the *Committee.*] That is a letter to Mr. Hoad?—No, to Payne.

995. Mr. *O'Malley.*] It is to Mr. Payne?—Yes, but my husband had nothing to do with it; I had all that to myself.

996. Did you write that letter on your own knowledge, without your husband having anything to do with it?—No; I do not believe I said anything to my husband about it; I do not often; my husband is generally ruled by me.

997. When did you condescend to tell him you had done it?—I suppose I did soon after; I generally tell him after I have done anything.

998. How soon after?—I cannot remember.

999. Within a few minutes?—I do not really know.

1000. Did he blow you up for having done it?—He scarcely ever blows me up for anything.

1001. Did he assent to your having done it?—I really do not know about that.

1002. Did he leave the matter in your hands?—He does almost all affairs.

1003. Did he leave that matter?—I suppose he did; I expect he did.

1004. The matter of his vote?—Well, sir, after I had asked Mr. Payne to assist us, and he was so determined he would not, I told my husband that if he would not assist our cause he should not assist theirs.

1005. He did ultimately assist Mr. Mackinnon's side?—He did give his vote, I believe.

1006. And got 50 *l.*?—Yes, he did.

1007. Then the reason you broke your promise is, I now look upon it——

Mr. *Keane* objected to the question, and said that a wife could not be asked a question why her husband voted.

Mr. *O'Malley* said she might, because she had the matter in her hands.

The *Chairman* said that it was by her advice that he broke his promise.

Mr. *Keane* observed that would not make it evidence.

The *Chairman* remarked she had told her husband that if he would not assist their cause her husband should not assist the others.

Mr. *Keane* said that he doubted whether that would make it evidence, but it could not go any further than that.

Mr. *O'Malley* stated he would not ask any more upon that subject, but he would ask what was the reason that he voted for Mackinnon.

Mr. *Keane* contended that could not be evidence under any circumstances.

Mr. *O'Malley* said he would waive the question.

1008. Was this after Mr. Hoad had called?—I do not remember Mr. Hoad's calling.

1009. Did he never call?—He called once at the door.

1010. Was it after he called at the door that you wrote that letter?—I do not know; that was a long time ago; I cannot tell you.

1011. I can see by your countenance that you have a good memory?—I may tell an untruth on trivial things, but I will not make an oath of it.

1012. You must have a good memory on most things; I can understand your husband being forgetful, but I cannot understand you?—My husband is very forgetful.

1013. By the *Committee.*] You do not remember whether this letter was written before or after you had seen Mr. Hoad?—I do not remember.

1014. Mr. *O'Malley.*] Try and recollect; was not that letter written after your husband had seen Mr. Hoad?—No, I do not think it was.

1015. Look at the letter again?—That was all my doings whatever I wrote. I wrote without consulting my husband.

1016. Was that after Mr. Hoad had been outside the door?—I do not really know.

1017. You mean to say, upon your oath, that you do not remember?—Yes, I do.

1018. You do not?—I cannot remember.

1019. I do not like to remind you of anything you have said coming up here, but do not you remember that you had seen Mr. Hoad before you wrote that letter?—I do not remember.

1020. Did you write a letter to Mr. Hoad?—I once sent my son's wife over with a note to draw upon some work that he had got.

1021. When did you send your son?—I did not send my son; I sent my son's wife.

1022. When?—I do not know, but when I needed the money.

1023. When was that?—I cannot tell.

1024. Within a few months; was it after the election?—Oh, no; I do not know when it was. I do not know whether it was before or after.

1025. We have one letter produced, a letter in which you ask for 1 *l.*?—I do not know that I had; I think I sent for two.

1026. Two letters?—No, 2 *l.*; I think I sent for 2 *l.*

1027. When was that?—I do not know.

1028. Now, I am not speaking of the letter sent for 2 *l.*, but do you remember sending a letter by Mr. Heath?—I do not remember sending a letter by him.

1029. Or reading it over to him?—I do not remember it.

1030. Will you swear that you did not read it over to him?—I would not swear to it, but I think I remember sending a letter by him, but I cannot remember reading it to him.

1031. You sent a letter by him?—I believe so.

1032. Did you read it over to him?—I do not think I did. We were sometimes cautious what we said to him; he is not always in a fit state to be talked to, nor is his evidence always to be relied upon.

1033. He is not always in a fit state to be talked to; we shall have to call him by and bye, but

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but will you, on your solemn oath, swear that you did not read the letter over to Mr. Heath?—I won't swear that I did, nor I won't swear that I did not, because I have no recollection.

1034. Will you, upon your solemn oath, swear that you do not recollect that you did?—I do not recollect that I did; sometimes I used to read letters to him, and I often used to talk to him, but I did not always mean what I said.

1035. Then I am afraid that you are not qualified to sit in judgment upon his truth if you said things that you did not mean?—I am not so truthful as my husband, because I do not think that he would tell a falsehood upon a trivial thing.

1036. But you think you would?—Well, I would, upon trivials.

1037. For a trifle?—No, not for a trifle, but upon trivials.

1038. By the *Committee.*] Who was Mr. Heath; it was not mentioned who he was?

Mr. *O'Malley* replied, Mr. Heath was a man who lodged in the same house.

The *Witness.*] It is James Heath.

1039. By the *Committee.*] Is he a lodger in your house?—Yes.

1040. You did send a letter to Mr. Hoad by him; it comes to that, and you cannot recollect whether you read it over to him?—I think I did, but I think it was for coals.

1041. Will you swear it was not for 50 *l.*?—I remember no such thing.

1042. You swear you did not write a letter to ask for 50 *l.*?—I remember no such thing.

1043. Now, I will call attention to the date of the 22d May; did you get a letter from Mr. Payne that same day?—Yes.

1044. Have you got that letter?—It laid about the house a long time, and when we were cleaning, I think I destroyed it.

1045. That was a letter refusing to give assistance?—Yes.

1046. Was not the letter that you say was about the coals, a letter saying that he would give you 50 *l.*?

Mr. *Keane* objected to the question.

Mr. *O'Malley* said he wished to contradict the Witness respecting the coals.

The *Chairman* remarked that the letter had been destroyed.

The *Witness.*] I think it was about coals, but I could not swear.

1047. Mr. *O'Malley.*] The letter from Mr. Payne was destroyed?—Yes.

1048. It was a letter refusing to give assistance?—Yes.

1049. I ask, was not it on the same day that the letter you spoke of, which you sent by Mr. Heath, that you received a letter from Mr. Payne?—That I do not know, I am sure.

1050. Was it?—If so I cannot tell you.

1051. You think you are recommending yourself as a witness of truth?—I cannot tell you.

Mr. *Keane* said the question could not be asked.

The *Chairman* said the question was whether a letter was sent by Mr. Heath to Mr. Hoad on the same day as she received a letter from Mr. Payne, and the Witness said she did not know.

The *Witness.*] I do not remember the dates.

1052. Mr *O'Malley.*] Shortly after, or immediately after, you received the letter from Mr. Payne, which you say you have lost, was not it then that you sent a letter to Mr. Hoad, by Mr. Heath?—I do not believe it was. I am almost certain that that was respecting coals; I wanted two tons.

1053. You mean to say that?—I do mean to say that.

1054. Did you ever write a letter to him about coals?—I did.

1055. You swear that you did?—Yes, I did; and I did not have them.

1056. Is he a coal merchant?—Yes.

1057. Did you not write to him on the subject of 50 *l.*?—I do not believe I did.

1058. Will you swear you did not?—I do not believe I did.

Mr. *O'Malley* asked the Committee whether they would allow Mr. Hoad to be called in to produce the letter.

Mr. *West* said he would be happy to hand in any letter.

Mr. *O'Malley* said there were two letters.

The *Witness.*] I am so muddled, and I do not know, but I think there were two.

1059. By the *Committee.*] There was one letter about coals, and then another letter?—Yes.

1060. Mr. *O'Malley.*] One letter, she says, was about 2 *l.* and that letter is about 1 *l.* (*handing the letter to the Witness*).

The *Witness.*] I did this.

1061. You say that you sent that by your son's wife?—Yes.

1062. You have told us you sent a letter by Mr. Heath?—Yes.

1063. That is the letter I am speaking of?—I know it was about coals, and Jim knows about that.

Mr. *O'Malley* said he would call Mr. Hoad to produce this letter.

1064. By the *Committee.*] Who was Payne?—He used to be a lawyer's clerk.

1065. Whose clerk?—Mr. Mance's; but now I suppose he practises as a lawyer.

1066. Mr. *O'Malley.*] What was he at the time of the election?—I suppose he was a lawyer, an attorney.

1067. And Mr. Robert Hoad?—Mr. Hoad is a coal merchant.

Robert Hoad was called in.

1068. Mr. *O'Malley.*] You have to produce a letter?—I put in the letter produced yesterday.

1069. The letter sent by Mr. Heath?—I have never received a letter by Mr. Heath.

Robert Hoad was requested to withdraw.

1070. Mr. *O'Malley.*] (To the Witness *Southerden.*) Will you swear he did not write about 50 *l.*?—I cannot remember, I am so excited. I have not been subject to cross-examination, and I wish to speak the truth.

1071. Did you call upon Payne?—Yes, I did; and I was with him one whole forenoon, from 9 to nearly 12.

1072. Did

1072. Did you tell Mr. Payne that you had asked for 50 *l.*?

Mr. *Keane* objected to the question, and said that could not be evidence.

The *Chairman* said the Committee thought the better course would be to call Mr. Payne to prove all that.

Mr. *O'Malley* said he did not think that he could call Mr. Payne till he had laid the foundation for it, and he was only asking the Witness what she had said herself.

Mr. *Keane* contended that the question could not be put.

The *Chairman* said the Committee had decided that Mr. O'Malley might put the question, but it was a matter of discretion how far it might be proceeded with.

1073. Mr. *O'Malley.*] Did you tell Mr. Payne you had been offered 50 *l.* by the other side?—I do not remember that. I asked Mr. Payne if he could assist us, and would let us have some money on the furniture, or send us work, and make us advances; and he said he would consider it.

1074. Do you remember Mr. Payne in the conversation telling you you might take the work without any condition?—I think he did.

1075. The work that had been offered you without any condition?—Yes; I think he did.

1076. Did you say, in answer to that, that your husband could not take that without voting for Mr. Mackinnon?—I do not remember saying so.

1077. Do you remember why you said you could not take the work without any condition?—I do not remember, but I asked Mr. Payne if he could assist us, and I would give security.

1078 Did not you tell him that your husband could not take the work without voting for Mr. Mackinnon?—I told him we were in difficulties, and must raise some money.

1079. Did you not tell him that your husband must vote for Mr. Mackinnon if you did not get the money?—I do not remember that.

1080. Will you swear you did not?—I do not remember.

1081. You forget the most material parts of your conversation?—Very possibly; many things I may forget.

1082. Do not you remember his saying there was no reason why you should not take the work without any condition?—We wanted help.

1083. What was the answer you gave to that?—We could not fly in the face of friends.

1084. Who was the friend?—Whoever advanced money on the furniture.

1085. You could not vote against the person who advanced the money?—I should not like to.

1086. That exactly leads us to the conversation again; did not you tell Mr. Payne that your husband could not take the work without voting for Mr. Mackinnon?—I do not remember that: I cannot really remember that.

1087. What did you say in answer to his question; do you mean that in any answer to his, telling you you might take the work without condition, you made answer that you could not fly in the face of friends?—I do not know that I did answer him like that. I do not know that I answered him so. I do not know what I did say to him.

1088. You say your husband left the matter in your hands?—He did not exactly leave it, but I generally took it upon myself.

1089. And he acquiesced; he never remonstrated?—He is a very nervous man.

1090. Just recollect; did not you tell Mr. Payne that your husband could not take the work without voting for Mr. Mackinnon?—I do not remember that; but I know we wanted the money immediately.

1091. Might you have said that?—I do not know; I do not think I did.

1092. You have told us that when Mr. Hoad came and offered the work he never said anything about Mr. Mackinnon; did Mr. Hoad ever say anything to you about voting for Mr. Mackinnon?—I do not believe he did.

1093. Then, how came you to the conclusion that you could not vote against Mr. Mackinnon?—I like my friends, and I am not very fond of my foes.

1094. How did you know that Mr. Hoad was your friend?—I did not care who it was so that they advanced money on the furniture in a legitimate way.

1095. Would you vote for any one who did?—I do not know that; I do not know much about politics; and we were in distress, and my husband is not a man able to see much after his business.

1096. You would vote for anyone?—I do not know that.

Mr. *Keane* objected to the mode of examination.

1097. Mr. *O'Malley.*] Now, shortly after you sent that letter by Mr. Heath to Mr. Hoad, did Mr. Hoad call and give you 10 *l.*?—No, he did not.

1098. Did he ever give you 10 *l.*?—Mr. Hoad never brought any money to the house, and I do not think that he sent the two sovereigns by my son's wife; I think he brought them to the door. There was two sovereigns brought to the house, and, I think, my husband had 18 *l.* taken to him to the shop, which made up the 20 *l.* That is what I think.

1099. Was that shortly after you had sent a letter by Mr. Heath to Mr. Hoad?—I do not know; but I think the one I sent by Mr. Heath was about coals.

1100. You swear it was?—I would not swear it, but I believe it was.

1101. Will you swear it was not about 50 *l.*?—I would not swear it was not.

1102. It was not coals that came after the letter was sent by Mr. Heath, but 20 *l.*—My husband did not take it at the shop.

1103. The 20 *l.* did come?—Yes.

1104. And you know it came from Mr. Hoad?—Yes, on the furniture.

1105. How did it come from Mr. Hoad if you had not written to Mr. Hoad about the furniture?—We asked about that; we asked to have some money on our furniture.

1106. When did you ask that?—I do not know.

1107. You tell us the 20 *l.* came?—£. 2 came at one time, and then 18 *l.*, I think, as far as I can remember.

1108. Now, tell me first, did not your husband tell you on the very day that you wrote that letter to Mr. Hoad, that Mr. Hoad had been to his shop in the Cinque Ports Street, and gave him an order for a cart, and promised to let him

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have 50*l.*?—I know that he had ordered a cart, but I do not know about the date.

1109. But did your husband on a day tell you that Robert Hoad had been to his shop, and had given him an order for a cart, and promised to let him have 50*l.*?—I do not remember, but I know he had 50*l.*

1110. Did not your husband tell you that?—I do not remember the date.

1111. Now, tell us before you got the 50*l.*, did not your husband bring home 10*l.*, and said he had got that from Robert Hoad?—No, he did not.

1112. You swear that distinctly?—Yes.

1113. Your mind is clear upon that, whether the very day you sent a letter to Mr. Hoad, that he had been and ordered a cart, and promised 50*l.*?—I do not know when it was, they were things of minor importance at the time.

1114. Did your husband bring home any more money?—I think he had enough altogether, but I never saw him take it.

1115. I suppose, from the account you have given us, your husband would scarcely dare to take any without telling you?—I do not know about daring, but he always did so.

1116. Did he tell you that he had got any more money?—I think it amounted to about 40*l.* in money.

1117. And what the rest?—I think timber.

1118. From whom; was it a man named Selden?—Yes, it was, I think; but I never asked him such particulars.

1119. By the *Committee.*] Was this 50*l.* in addition to the 20*l.*, or was that part of the 50*l.*?—The sum was 50*l.* altogether, and no more.

1120. The 18*l.*, and the two sovereigns were part of the 40*l.*, and the timber?—Yes.

1121. Mr. *O'Malley.*] Was it after all that, and after the election, that you sent for the sovereign in the letter that was written?—I cannot remember about that.

1122. Was the sovereign part of the 50*l.*?—I think it was, and the two sovereigns that my son's wife fetched; I do not think she did go for one.

1123. Look at that letter where you asked for one?—Well, I had two.

1124. Look at the letter; do not be afraid of it?—I cannot see very well.

1125. Do you mean to say that you did not get that sovereign that you wrote for, and was that part of the 50*l.*?—I think it was; I know that we never had more than 50*l.*

1126. Do you mean to say that the sovereign mentioned in this letter was part of the 50*l.*?—Yes, I do; I do not remember ever having had any other.

1127. Was not that letter written after the election?—I won't swear to it.

1128. Did you ask Heath to take this letter?—I do not remember asking him to take a letter except about the coals.

1129. Did you ask him to take that letter, and did he refuse?—No fear of his refusing; he would fight either way (*after referring to the letter*); I could not tell when it was.

1130. Did not Hoad call himself, and give you that sovereign?—I do not remember.

1131. Did you not say when he called, that you did not like the bill of sale, and did not expect there was to be one?—No, I did not.

1132. Did you not say to him—

Mr. *Keane* objected to the evidence.

The *Witness.*] I do not remember when the bill of sale was.

1133. Mr. *O'Malley.*] When did you first see the bill of sale?—I have not seen it at all, the bill of sale itself.

1134. You have never seen it?—I do not think I have seen it.

1135. Were you not present when it was executed?—No, I was not.

1136. That was an important part of domestic life?—Yes, but I do not exactly remember it.

1137. When was the cart that Mr. Hoad ordered sent home?—That I do not know.

1138. Was it ever sent home?—Yes, I believe it was, but I do not know that.

1139. If you believe it has been sent home, you can tell me when you believe it was sent home?—I know it was not a very long time ago.

1140. I ask if it has gone home?—Yes.

1141. And been paid for?—Yes.

1142. When?—I think it was paid for with the coals; I think that paid for our coals.

1143. What would be the price of the cart?—I cannot tell.

1144. Twenty pounds?—No such money.

1145. Ten pounds?—Somewhere nigh that.

1146. How many years were you burning 10*l.* worth of coals?—I did not know that matters were coming to this, or I should have retained it.

1147. Is it not more likely that you did not retain it, because it was coming to this?—No, I did not think so.

Cross-examined by Mr. *Keane.*

1148. Did you say to Mr. O'Malley that your husband got 50*l.* for his vote?—No, I do not think I did.

1149. He got 50*l.* for it; I did not understand it?—No, it was not that.

1150. Now tell me, is that your husband's handwriting (*handing in a document*)?—Yes, I think it is; the signature is his.

1151. Do you recollect that 2*l.*?—Yes, I think that was for the coals.

1152. That is for a cart?—Yes, I think it is; that is the sum of 2*l.*, to make up the sum of 20*l.*

1153. It is "Rye, 24th September 1865. Received of Hoad, Brothers, the sum of 2*l.*, on account of new cart." Is that right?—It is very conflicting.

1154. Did you receive 2*l.*?—Yes.

1155. Is the sum of 2*l.* the 2*l.* that you have been speaking about that your son's wife received?—I think it is.

1156. You are aware that it was taken on account of the new cart?—I think it was; I do not know; the coals, and the cart, and this bill of sale, were very muddling for one, and I did not think I was to be called upon to speak about it.

1157. By the *Committee.*] That was September 1865.

Mr. *Keane* replied that it was, and it was on account of the new cart.

1158. Is it not the fact that there was in the letter from you to Mr. Hoad?—I know there was not, and I wished to be very cautious how I spoke.

1159. Did he take any letter than the one for 1*l.*?—I do not think he did, and Mr. Payne, and ll of us know there is no r elying upon him.

1160. Do

1160. Do you know from Mr. Payne yourself that there is no reliance to be put upon him?—They all knew that.

1161. What is he?—He is usually dependent upon his sisters.

1162. By the *Committee.*] Is he a voter?—No, but he thinks he is.

1163. Mr. *Keane.*] Is he dependent upon you in any way?—No, not upon me, but upon his relatives in London, and I am troubled to keep him in the house.

Re-examined by Mr. *O'Malley.*

1164. He is useless, I suppose, because he has not a vote?—There is the generality of the town, and they know him and my husband.

1165. He cannot raise a bill of sale for 50 *l.*?—No, but he has done much worse than that in his time.

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1166. Now I find that letter of yours and that receipt of yours is dated in September 1865, that is a good while after the election?—Yes, but I do not know when it was.

1167. My friend has put in a receipt there which is dated plainly September 1865?—I never think of dates, it is of very little consequence it seems to me.

1168. You were asked whether Mr. Payne said to you that Heath was not to be depended upon?—I did not say that.

Mr. *Keane* stated that the Witness had said that Mr. Payne knew it.

The *Witness.*] They all knew it.

1169. By the *Committee.*] What do you consider Mr. Payne, agent for Mr. Macdonalds?—Yes, that is what I suppose.

EDWARD JOHN HEATH was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:—

E. J. Heath.

1170. I BELIEVE you live at Rye?—Yes.

1171. And lodge with Mr. Daniel Southerden?—Yes.

1172. You not only lodge with him, but live with him?—Lodge and live with him.

1173. You take your meals with him?—Yes.

1174. I believe you are a relation of Mrs. Southerden?—Yes.

1175. You remember the month of May before the last election at Rye?—Yes.

1176. Can you tell whether you remember any conversations at meals, or at anytime, between yourself and Mr. and Mrs. Southerden, when Mr. Southerden was there?—Yes, between the election, about money, they said if they could not get it on one side they would get it on the other.

1177. Do you remember any further conversations of the same sort between the same people?

Mr. *Keane* said he should like to have the conversations taken singly.

1178. Mr. *Longley.*] Will you tell us any one conversation, any conversation that you may remember?—They said if they could not get the money from the reds and whites they would get it from the blue.

1179. By the *Committee.*] The conversations you are alluding to were between Mr. and Mrs. Southerden and yourself?—Yes.

1180. Who said this: if we cannot get it from the one side we must get it from the other?—Mr. Southerden.

1181. Mr. *Longley.*] On that occasion did Mr. and Mrs. Southerden say anything more?—They said they would soon make up their minds one way or the other, and if they could not get it they would write to Mr. Payne, and if they could not get it they would write to Mr. Robert Hoad to let them have 50*l.*

1182. Was the sum of 50 *l.* named?—Yes.

1183. Was anything more said about writing to Mr. Hoad?—After a little while they were in trouble for rent, and Mrs. Southerden wrote to Mr. Payne.

1184. After Mrs. Southerden had written to Mr. Payne, was there another conversation of this sort upon the subject?—No.

1185. Now, did you ever take a note to Mr. Robert Hoad for Mr. or Mrs. Southerden?—Oh yes, for Mrs. Southerden.

1186. Several to Mr. Payne or Mr. Hoad?—To Mr. Robert Hoad.

1187. Did you on any of those occasions know the contents of the note?—At times I did.

1188. Will you tell us what your knowledge was?—

Mr. *Keane* said they could not have that.

1189. Mr. *Longley.*] How did you know?—I was there at the time.

1190. Did Mrs. Southerden ever read to you the contents of the note?—Always.

1191. You said just now she wrote to Mr. Payne; after the letter to Mr. Payne, do you remember one of those letters being taken to Mr. Robert Hoad?—Yes, just before the election.

Mr. *Keane* objected to the question, and the Witness was requested to withdraw.

Mr. *Keane* said, if Mrs. Southerden sent a letter, and that letter was read to the witness and the witness knew its contents, probably they might have that, provided the letter had been first called for and not accounted for; but what Mrs. Southerden did in the absence of her husband they could not have.

Mr. *Longley* pressed the question.

The *Chairman* said, the Committee were of opinion that the letter ought to be produced or accounted for in the usual manner.

The Witness was re-called.

1192. Mr. *Longley.*] I was asking you about a letter; I will not ask about the contents, but you have told us that Mrs. Southerden read it to you?—Yes, always.

1193. She asked you to take a letter to Mr. Robert Hoad's house?—Yes, some time in May.

1194. What time?—About the middle of May.

1195. It was after this letter had been sent to Mr. Payne?—After.

1196. You did take this letter to Mr. Hoad?—Yes.

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1197. What did you do with it?—Gave it to Mr. Robert Hoad, at his office.

1198. On the evening of that day were you at Southerden's house, where you were lodging?—Yes.

1199. Did he come in whilst you were there?—Yes.

1200. Will you tell us what passed between you, him, and his wife?—Southerden does not say much; his wife generally has all the say.

1201. Tell us what passed?—She said, if she could not get money from the reds and whites; if we cannot get money one way we must have it the other. We have had an application, and if we like to vote for Mr. Mackinnon we can have the money.

1202. You say Mr. Southerden does not say much; did he say anything upon that occasion?—No.

1203. Did Mrs. Southerden say anything more?—Yes; she would write to Mr. Payne to know whether he meant to let them have it or not, because she said she could have it on the other side, and she had the promise.

1204. By the *Committee.*] She said she did write?—No; she said she would write, and she did write the next day.

1205. To Payne?—Yes.

1206. Mr. *Longley.*] Shortly after that, was there another conversation of the same sort?—She wrote on that Saturday.

1207. After writing to Payne, I want to draw your attention to a conversation?—She said there had been a party to see Mr. Southerden, and had offered him so much.

1208. What did she say about that?—She said there was not enough money. She wanted 50*l.*; 20*l.* was not enough.

1209. By the *Committee.*] We have not had a distinct answer, because she said she had a party who offered so much, but she does not say what party?—Mackinnon's party.

Mr. *Keane.*] The Witness had not said that at first, but he did seem unwilling to fill up a gap.

1210. Mr. *Longley.*] Repeat her words?—I cannot exactly repeat her words.

1211. What did she say?—She said she should vote for Mr. Mackinnon, if she could not get it.

1212. Mr. *Keane.*] She said she would vote for Mackinnon, if she could not get it from Payne?—Yes.

1213. Mr. *Longley.*] Did Mrs. Southerden say anything about promising to vote for Macdonald?—She promised it then.

1214. I believe not long after this you went to Mr. Atkins?—Yes; I went to Mr. Atkins several times.

1215. What did you go there for?—To see whether he could settle the business for them.

1216. For whom?—For Mrs. Southerden.

1217. What business?—They were involved.

1218. On going back from Mr. Atkins, what conversation was there between you three people, you, Mr. and Mrs. Southerden?—They said they must try and get the money, and let him have it to pay so much in the pound.

1219. To the creditors?—Yes.

1220. By the *Committee.*] Atkins was an auctioneer?—Yes.

1221. Was that what Atkins said?—On Saturday.

1222. Mr. *Longley.*] She said they must get a sum of money?—Yes.

1223. By the *Committee.*] This was Mrs. Southerden said that?—Yes.

1224. This is all conversation that you are repeating?—Yes.

1225. Was Mr. Southerden by when this conversation took place?—No.

Mr. *Longley* said he wanted to ask the Witness what took place between the three parties.

The *Chairman* said there was nothing in it.

1226. Mr. *Longley.*] Now I want to take you to a later time in July; do you remember being asked by Mrs. Southerden to take a note to Mr. Hoad?—Yes.

1227. What time was that?—In July.

1228. Did she read that note?—Yes.

1229. Did you take that note?—No, I refused to take it; I took it to her son's wife for her to take it.

1230. You took it to whom?—I took it to Mrs. Southerden's son's wife, on the Saturday evening.

1231. You would not take it?—No.

1232. You say there have been a great many conversations, but I only want one more, did you ever hear of any bill of sale?—Not till some time afterwards; there was no bill of sale when the money was had.

1233. Do you remember when you first called about a bill of sale?—Not till some time afterwards.

1234. By the *Committee.*] You did not hear of a bill of sale until some time afterwards?

1235. Mr. *Longley.*] You did hear about it some time afterwards?—Yes, she said Mr. Robert Hoad had called, and said they must have a bill of sale, merely for form's sake, and put down what you like, we shall not trouble you for it.

1236. Was anything more said about that bill of sale at these conversations?—The bill of sale was this, she said if they ever come upon the bill of sale, she would split; she meant about the money; if they ever called the money in, she would expose them.

1237. By the *Committee.*] We want to know whether Mr. Southerden was present?—Not always; this was between ourselves; sometimes he was at his work.

1238. Mr. Southerden was not by when this went on?—No, but he knew about it when he came home.

1239. How did he know?—We told him of it.

1240. Mr. *Longley* said the wife completely represented her husband.

The *Chairman* said there must be a limit to it. The Committee understood that the husband was present.

Mr. *Longley* said he so understood it.

1241. By the *Committee.*] What we want to hear is the conversations that took place between you, and Mr. and Mrs. Southerden, when you were all together?—Mr. Southerden was a man of few words; he let his wife do as she liked.

1242. Did he hear of this, or was he present when this conversation went on?—He was at his shop.

The *Chairman* said there might be conversations going on in every public-house.

Mr.

Mr. *Longley* said the examination was in consequence of the expression of the Committee.

The *Chairman* said the Committee only decided that it might be gone into where the principal was present.

1243. Mr. *Longley.*] You go to Southerden's shop, I suppose?—Yes; I go there sometimes all day long.

1244. Can you tell us about a cart being made for Mr. Robert Hoad; has there been a cart made there lately?—Yes.

1245. When?—Made about three months ago, and went home about a fortnight ago.

1246. Was there a cart made about the time of the election?—No; but he had the order for it at the time of the election.

1247. Mr. *Keane.*] Were you present at the time he had the order?—No.

Mr. *Keane* stated the witness should not give it as evidence if he was not present.

1248. By the *Committee.*] There was a cart made three months ago, and went home a month ago?—Yes.

1249. Do you state this on your own knowledge; how do you know when the cart went home?—Mr. and Mrs. Southerden told me.

Cross-examined by Mr. *Keane.*

1250. Will you tell me what you are?—A manure agent.

1251. How long have you carried on that business?—Some time.

1252. About?—About six or seven years.

1253. You carry on that business at Rye?—Yes.

1254. Have you an office?—No.

1255. Where is the seat of your business; where could persons give you an order?—At my residence.

1256. Where is your residence?—At Mrs. Southerden's.

1257. Have you a room or an office there?—No.

1258. Do you pay Mrs. Southerden anything?—So much a year.

1259. Do you pay for anything?—My sisters do.

1260. Then the manure business is not sufficient to enable you to pay for your board and lodging and business premises at Mrs. Southerden's; is that so?—Yes.

1261. What might this manure business produce in the course of the year?—I cannot tell you.

1262. Is it so large?—No, it is so small.

1263. Something under a pound?—No.

1264. Can you tell me within 20 *l.* what it produces you?—It all depends on what I sell.

1265. May I take it that you have no business, and that you are a mere pauper, dependent on your relatives?—No.

1266. Upon your sister or sisters?—My sister allows me a little.

1267. Are you a relative of Mrs. Southerden's?—Yes.

1268. I suppose you are on terms of the greatest intimacy with them?—Yes.

1269. And they look upon you as one of themselves?—Yes.

1270. And when the right time arrived, you went and told Mr. Payne all the confidential conversations that took place between you and Mrs. Southerden?—No, not at all.

1271. How many did you leave out?—A great many.

1272. You cannot tell me how many you left out; can you tell me how many you put in?—I have not put in any.

1273. Have you not a little taxed your imagination?—No.

1274. A fancy sketch?—No.

1275. Now, I presume I may take it, that at all those conversations nobody was present except Mr. and Mrs. Southerden?—No.

1276. No fourth person?—No.

1277. Now, I understood you to say that she told you that Mr. Robert Hoad had called and said he must have a bill of sale, and that she might put down what she liked, and they would not trouble them for the money?—Yes.

1278. Tell me when that was?—I cannot tell you exactly.

1279. Give it me as near as you can; dates sometimes are very important?—I cannot tell you.

1280. Your memory is very good?—No.

1281. You recollect these conversations?—We used to have them very much.

1282. This confidential communication made to you by these parties I will read to you: "She said that Mr. Robert Hoad had called and said that he must have a bill of sale, and she might put down what she liked, and they would not call upon her for it"?—Yes.

1283. Now, do tell me about when that took place?—About June, I should say.

1284. What time in June?—I cannot say exactly.

1285. Was it near the election?—Yes.

1286. Just at the end of June, I presume?—I cannot tell exactly.

1287. About the last week in June?—I do not know; I did not take particular notice. She told me of it; she said he had been, and they were to give a bill of sale.

1288. I want the date; was it towards the end of June?—I do not know whether it was towards the end of June or not.

1289. Was it in July?—I cannot say.

1290. Was it before the election?—I do not know. I did not take a note down.

1291. You do not mean to say you had taken a note of the conversation?—No.

1292. You are able to recollect that; was it in July?—I cannot say.

1293. Was not it in July that this took place?—I could not answer either way.

1294. Was it before the election?—I cannot tell.

1295. Before the nomination?—I cannot say.

1296. Was it not more than a fortnight before the election?—I cannot say.

1297. Or 10 days?—I cannot say.

1298. By the *Committee.*] Were you present when the conversation took place about the bill of sale, when Mr. Hoad said that they must have a bill of sale for form's sake?—

Mr. *O'Malley* said the Witness had not said he was present, but that Mrs. Southerden had told him that Mr. Hoad had called and said so.

The *Witness.*] Yes.

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1299. Mr. *Keane.*] I want to know the date?—I cannot tell you.

1300. Not about?—No.

1301. She told you this, that if they came for the money she would split?—Yes.

1302. Did she tell you that at the same conversation?—Yes, she told me that several times; she said, "You and I know all about it;" that is about the money.

1303. Did you know all about it?—Yes.

1304. About what?—About the money.

1305. What had they?—£50.

1306. In sovereigns?—I do not know.

1307. I thought you said you knew they had it?—Yes.

1308. Did you see them get it?—No, they told me.

1309. By the *Committee.*] Can you give no answer when the bill of was sale spoken about?—No.

The *Chairman* said, he had first said it was in June, and then it might be in July.

1310. Mr. *Keane.*] It might be in March?—No.

1311. Was it in April?—No; they had the money.

1312. For the bill of sale?—The money for the vote.

1313. Had they the money for the bill of sale?—They had the money for the vote.

1314. For the bill of sale?—It was not mentioned in the bill of sale.

1315. Were you present when it was mentioned?—No, because Robert Hoad carried it along to the shop to Mr. Southerden, and he brought it home to his wife.

1316. You were not present when Mr. Robert Hoad did that?—No.

1317. Then how dare you swear to it?—His wife told me.

1318. What do you mean by swearing that he did?—I did not.

1319. By the *Committee.*]—Did you see this done, or did his wife tell you?—His wife told me.

1320. Mr. *Keane.*] Was Southerden present when his wife told you?—No.

1321. Did she ever say anything to you about the vote. Did she tell you that?—Yes, several times.

1322. Tell me what. You can recollect something so important as that. She is going to take money for a vote, and a pure man like you must have been so much shocked that you remember it. Tell me the words?—No.

1323. Give us the words, as my learned friend suggests, fancy you are Mrs. Southerden. "I am going to do this. I shall have that." Or, "somebody came to me and said this." Do not laugh, because you have kissed the book and sworn to speak the truth, and that is a very solemn thing. I do not say anything to you about what you will be liable to if it is false?—She said if she could not get the money, she would vote for Mr. Mackinnon.

1324. Did she say this: "If I get the money, I will vote"?—No.

1325. Then tell me what she did say, as near as you can?—She said she would vote.

1326. No, she did not?—She said that Mr. Southerden should vote.

1327. She spoke of him in that respectful way?—Yes.

1328. I should not have thought it, but she said he should vote?—Yes.

1329. For whom?—For Mr. Mackinnon.

1330. Mr. Southerden was to vote for Mr. Mackinnon?—Yes.

1331. Then what business have you to tell the Committee that she received a bill of sale for the vote, if the bill of sale was given in respect of the vote? What you say is, she said that Mr. Southerden should vote for Mr. Mackinnon?—Yes, if she got the money.

1332. You did not tell us that just now.

1333. By the *Committee.*] Was this the 50 *l.*?—Yes.

1334. Mr. *Keane.*] Was anything else said? Was not it that she was excessively angry with Mr. Hoad, when she thought it probable she would get the money, and that she would ask her husband to vote the other side in consequence. Was it anything else than that?—No.

1335. By the *Committee.*] Are you a voter?—No.

1336. Have you had any quarrel with Mrs. Southerden?—No.

1337. You are on the best of terms with them?—Yes.

Re-examined by Mr. *Longley.*

1338. I think I understood you to say that Mrs. Southerden said, in her husband's presence, that he would vote for Mr. Mackinnon, if he got the money?—Yes.

1339. And I think you said she did not refer to any application to Mr. Payne?—No.

1340. She was talking about her husband, Mr. Mackinnon, and the money?—Yes.

1341. Not referring to Mr. Payne at all?—No.

1342. My learned friend refers to a conversation, I suppose you had a great many conversations?—Yes.

1343. You had a great many conversations together?—Yes, I was living there.

1344. It is not easy for you to remember one?—No.

1345. I think I understood you to say that they, meaning Mr. and Mrs. Southerden, told you that they had got the money.

Richard Selden was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:

R. Selden.

1346. I believe you are a timber-merchant?—Yes.

1347. And live at Ore, in Rye?—Yes.

1348. You are a churchwarden?—Yes.

1349. I want to direct your attention to the month of July?—Yes.

1350. Have you ever supplied timber to Mr. Southerden?—Yes, on several occasions.

1351. Did you supply timber about the middle of last year, at any time?—Yes.

1352. Will you tell us under what circumstances you supplied that timber, and why you did

did it?—He applied to me for some seasoned timber.

1353. Mr. Southerden did?—Yes; a person met me in the market, named Heath, and said that Mr. Southerden wanted to see me, and he told me what he wanted; but previous to that I had seen Mr. James Hoad, and he said that Mr. Southerden had applied to them for some seasoned timber, which they did not keep, and if he applied to me, would I supply with some if he wanted it.

1354. By the *Committee.*] You were asked by Mr. James Hoad?—Yes, Mr. James Hoad.

1355. Mr. *Longley.*] Mr. Hoad asked you to supply it?—Yes; I supply Mr. Hoad with a great deal of timber.

1356. In consequence of what Mr. Hoad said, you supplied Mr. Southerden with timber?—Yes, he said I might supply him to the amount of about 7 *l.* or 8 *l.*, and 5 *l.* 4 *s.* was what he had; but he said I might supply him to the amount of 7 *l.* or 8 *l.* to their account.

1357. When was that?—In May I think was the application, and the timber was supplied in June.

1358. Do you happen to remember what sort of time there was between the conversation between James Hoad speaking to you, and the time that you delivered the timber?—They fetched the timber themselves, I think, a fortnight afterwards.

1359. Who fetched it?—Mr. Peacock, of Rye.

1360. You think the timber was fetched in June?—I know it was the 7th of June, or I believe it was; that is my ledger account.

1361. Have you supplied any timber to Mr. Southerden since that?—No.

1362. Has Mr. Southerden paid you for that?—No.

1363. Have you been paid for the timber?—No.

Cross-examined by Mr. *Keane.*

1364. The firm of the Hoads consists of two or three names?—Yes; Mr. James Hoad, Mr. Robert Hoad, and Mr. Lewis.

1365. They are in partnership?—Yes.

1366. Was the timber which you supplied to Mr. Southerden such as is supplied to coach builders and carriage builders?—Yes; coach builders, not carpenters.

1367. The visit of Mr. James Hoad to you was in May, and the thing was fetched away by Mr. Peacock?—Yes.

1368. Who is Mr. Peacock?—He is a general carrier.

1369. Did he come from Mr. Hoad or from Mr. Southerden?—I expect he came from Southerden. He asked me once whether I had got it ready, and I had not.

1370. Did he tell you who he wanted it for?—I think Mr. Southerden was building a cart for Mr. Hoad at the time.

1371. Then he asked you whether you had got it ready?—Mr. Peacock asked if I had got it ready.

1372. Peacock had orders to get it from you?—Yes.

1373. I believe you have very large transactions with Messrs. Hoad?—Yes.

1374. And have for a great number of years?—Yes; I have sold them timber for a great number of years; I should think 20.

1375. They are gentlemen of considerable position and wealth?—Yes; and had a great deal of business.

1376. I suppose they are well known in their business?—Yes.

1377. Are they well known as charitable persons in the town?—Yes.

1378. Are they persons who would assist anybody in distress?—Yes; I think that they are very kind-hearted.

Re-examined by Mr. *Longley.*

1379. You said something about Mr. Southerden building a cart for Mr. Hoad; did you know he was building a cart for Mr. Hoad at the time?—I did not know it, but I heard it,

1380. As to its charitable purpose, do you know anything about that?—No.

1381. Merely what you have heard?—Yes.

1382. The fact remains that you supplied him with timber, because Mr. Hoad ordered it?—Yes; and I charged it to Mr. Southerden, by Mr. Hoad's orders.

1383. By the *Committee.*] Would you have trusted Mr. Southerden without Mr. Hoad's guarantee?—I do not think I should; he had failed a little while before.

JAMES GLAZIER was called in; and, having been sworn, was Examined as follows by Mr. *O'Malley*:

1384. ARE you a fisherman and publican residing at Winchelsea?—Yes.

1385. Were you a voter at the last election?—Yes.

1386. You were also a voter at the last election before?—Yes.

1387. You promised your vote, I believe, for Mr. Macdonald at the last election?—I told him I should not go against him; that was as bad as promising.

1388. Did you go against him?—Yes.

1389. Do you know Richard Smith?—Yes.

1390. And do you know Robert Hoad?—Yes.

1391. Do you remember meeting them at a cricket match at Winchelsea?—Yes.

1392. Where did you meet them?—They met me in the cricket-field.

1393. You had a cricket-ground?—Yes.

1394. Did they spend the evening at your house?—No; they never came to my house.

1395. Did you spend the evening with them?—No; as soon as the cricket was over they went home. Their traps were at Mr. Hemming's, at the "New Inn." There is another house at Winchelsea, the "New Inn." They put their traps up there, and came to my cricket-field; and when they went from the cricket-field they put their horses to the traps and went home.

1396. Was Mr. Mackinnon at the cricket?—I did not see him.

1397. Did you see Mr. Brocklebank there?—No; I cannot say that I did.

1398. Both parties were at the cricket-ground that

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that day, the blues and the reds?—I do not know at all.

1399. Do you know Mr. Payne?—What Payne might it be?

1400. The blacksmith?—Yes.

1401. Do you know Richard Fuller?—Yes.

1402. Do you remember having a conversation with Fuller and Payne after the rest of the people were gone?—About whom.

1403. With Payne and Fuller?—Who had the conversation?

1404. You?—No.

1405. Do you recollect that?—I know I did not. I had no conversation with them.

1406. Nothing about nets?—Not that day.

1407. Perhaps it was another day?—I do not know.

1408. Did you get any money from Mr. Richard Smith?—No.

1409. You never got any money from him?—I borrowed 5 *l.* of him a long time ago.

1410. When did you borrow the 5 *l.* of him?—I say something like about November, 1864.

1411. Was that the time you borrowed it?—Yes.

1412. Just think a little later?—I cannot think any later. I know it was some time in November.

1413. I mean Richard Smith, of the "George"?—Yes.

1414. Did you owe Mr. Edwards, of Bridport, any money?—Yes.

1415. Did you speak to Mr. Brocklebank about that?—Yes.

1416. When did you speak to him about that?—Three months ago.

1417. Before the election?—No; not long back.

1418. Try and recollect?—I cannot try.

1419. Mr. Edwards is here?—Never mind.

1420. I am not asking about whether you spoke three or four months ago to him; but when did you first speak to him?—That was about the time.

1421. Will you undertake to say it was not before the last election that you spoke to him?—Yes; I swear to it.

1422. You are sure it was not before the last election?—I am quite sure.

1423. Had you spoken to Mr. Brocklebank, or any one, about that debt before the election?—Not to my knowledge.

1424. How much did you owe Mr. Edwards at the time of the last election?—About 14 *l.*

1425. Is that due still?—No; Mr. Brocklebank paid 5 *l.* for me.

1426. When did he pay that?—Something like a month ago. I cannot say to a week; but about a month ago. He agreed to pay it about four months ago. About the 6th of December he agreed to pay it. He owed me the money, and a little more.

1427. About three or four months you say he agreed to pay it, and that he owed you the money?—Yes.

1428. For what?—For spirits and ales.

1429. Was it sprats and eels, or spirits and ales?—Spirits and ale.

1430. Who owed you that?—Mr. Brocklebank.

1431. How much did he owe you for spirits and ales?—Between 10 *l.* and 11 *l.*

1432. Have you sent him a bill for that?—Yes; but I could not get the money.

1433. How long has he owed you that?—He has owed me some for a long time.

1434. How long?—Some a long time; and some not so long.

1435. How long?—I cannot say.

1436. The 5 *l.* went to pay off part of that?—He sent it to Mr. Edwards.

1437. He promised to pay Mr. Edwards 14 *l.*?—No; he only promised to pay 5 *l.*

1438. What did you say about that?—I said he owed me that, and I owed Mr. Edwards 14 *l.*; and now it is reduced to 9 *l.*

1439. Did you get any fresh nets from Mr. Edwards?—No.

1440. Are you expecting any from Mr. Edwards?—Yes.

1441. How much worth?—About 20 *l.* worth; I expect them every day.

1442. Did Mr. Richard Smith become your surety to Mr. Edwards?—He said he would be bond for six months.

1443. That is, that he would be bound that you would pay it within six months?—In the six months. We have six months' credit for it. He is my bondsman for it.

1444. Then, after the six months was over, he would pay it?—Yes.

1445. When did he become surety for you?—I have been laid up for five or six weeks, till within the last week, and it was during the time that I was laid up.

1446. He promised to become your surety?—Yes; I was bad in bed when he promised to do it. I was laid up for five or six weeks.

1447. Having called your attention to this, I just ask you whether you did not say at the cricket match, or whether Mr. Vidler did not say it to you, "Then you are all right, and will be with us," and you said "Yes"?—Very likely I did.

1448. Did not you?—Not to my knowledge.

1449. Will you swear you did not?—No; because I cannot say.

1450. You won't swear you did not?—I do not know that Mr. Vidler was there.

1451. Will you swear he was not there?—No.

1452. Will you swear you did not see him there?—I cannot say.

1453. On your oath, was Mr. Vidler there? Was he, or was he not? You may hear more of this?—I cannot tell you.

1454. You cannot recollect?—No; I cannot recollect.

1455. You cannot recollect whether he used those words, "You are all right; you will be with us"?—No.

1456. Now, after that, did you say to Richard Fuller and to Payne, "Between you and me, I could have a lot of nets if I went over to the opposite party"?—No; because they had not spoken to me that time.

1457. Did you ever say that to Payne and Fuller?—No.

1458. Now, I warn you?—I tell you all I have said to Payne and Fuller. He said I had a horse of the Tory party; and I said, "I must look out and get a good lot of nets of the one party or the other."

1459. By the *Committee.*] Who said that?—I said I must get a good lot of nets out of the one party or the other.

1460. Mr. *O'Malley.*] Was Vidler at your house at the tea party?—He was at the tea party once before the election.

1461. How

1461. How shortly before the election?—I cannot say; not many days.

1462. Was it at the tea party; perhaps you will recollect that; did not he say that "You will be all right, you will be with us?"—No; I gave him a denial that night.

1463. You had promised Macdonald before that?—Yes, before.

1464. You gave him a denial that night?—Yes, I did.

1465. Did you tell him why?—Because Mr. Breed, the brewer, wished me not to go for the Tory party; I was under him, and I must go for the Liberals.

1466. By the *Committee.*] Is this repeating a conversation?—Yes.

1467. To whom was the denial given?—To Mr. Vidler; Mr. Breed sent me a letter, and I gave it to Mr. Vidler.

1468. Mr. *O'Malley.*] Now, did you say then, after Mr. Vidler had gone to Fuller and Payne——

Mr. *Keane* said he could not allow that mode of cross-examination, because he was not a hostile Witness.

Mr. *O'Malley* replied, the Committee would decide whether he was a hostile Witness or not.

The *Chairman* stated at present the Committee did not see what the evidence had to do with the question before the Committee; the Witness was merely stating a lot of conversations that he had with different people, and the Witness had shown no objection to answer the questions.

Mr. *O'Malley* said the Witness was a hostile Witness when he came out of the opposite camp.

The *Chairman* wished to know what questions Mr. O'Malley intended to ask.

Mr. *O'Malley* said the question was, whether he did not upon that occasion say to Payne and Fuller, "between you and me I could have a lot of nets if I went over to the opposite party."

The *Chairman* stated that question had been answered some time ago.

Mr. *O'Malley* wished to have it repeated, as on the former occasion he had been put aside by the Witness saying it was not at a cricket match, and he now asked about a tea party.

The *Chairman* said that several questions ago the Witness had said he did not say so.

Mr. *O'Malley* wished to know whether it was said at the tea party.

1469. By the *Committee.*] Did you say that to him?—The *Witness.*] No.

1470. Mr. *O'Malley.*] Did you say it at all?—No, not to my knowledge.

1471. Will you swear you did not?—I cannot swear I did not.

1472. If you said so, was it true?—No; only terrifying him.

1473. Look at that letter?—I cannot read.

1474. You know your writing?—With my spectacles, and I have not got them.

Mr. *O'Malley.*] Then I will read it to you; it is James Glazier, addressed to Mr. Vidler.

Mr. *Keane* objected to the letter.

Mr. *O'Malley* said he had no right to read it unless the Witness admitted it to be in his handwriting.

Mr. *Keane* replied he could not even then.

Mr. *O'Malley* stated the letter was addressed by the Witness to Vidler, and wished the Witness to look at it.

The *Witness* replied that he could not read it without his spectacles; but said if Mr. O'Malley would give him his he would read it.

Mr. *O'Malley* having handed his spectacles to the Witness, the Witness read the letter, and said that it was in his handwriting.

1475. Did you tell Mr. Vidler?

Mr. *Keane* said that was the same thing again, and he objected to the question; he could not allow his learned friend to read his brief.

Mr. *O'Malley* remarked it was his own letter.

Mr. *Keane* replied that the letter was not in evidence.

Mr. *O'Malley* contended that the Witness was a person who was charged with being bribed.

1476. Now, do you know a man of the name of Harmer, a policeman?—Yes.

1477. Do you remember shortly before the election going with Harmer from Winchelsea to Rye?—I remember going from Rye Harbour to Rye.

1478. Do you remember saying to him that you were going to Smith's to the "George Hotel" to get 5 *l.*?—Yes.

1479. And did you say this to him, that you were going to the "George Hotel" to get 5 *l*; something about the election?—No.

1480. You swear you did not say, "Something about the election"?—He said, "I suppose it is an electioneering job," and I said, "Everything is an electioneering job now."

1481. He said, "I suppose it is an electioneering job," and you said, "Everything is an electioneering job with you now?"—Yes; it was after we came out from Mr. Smith's, and were going home.

1482. You showed him the 5 *l.* after you came out?—I do not remember whether I did; if I did not show it him I got it.

1483. What did you get it from Mr. Smith for?—I had borrowed it from him; I was picking up boulders, and his son was working with me, and I wanted money to pay the men.

1484. Where were you picking up the boulders?—On the sea coast.

1485. Had you been picking up boulders before that?—Yes.

1486. Will you tell me the men who were assisting you when you were picking up boulders before?—I cannot be sure; but I think I was.

1487. Who were the men?—His son was one.

1488. I do

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1488. I do not want his son, but some other?—John Durham.

1489. Had John Durham been picking up boulders for you before you got the 5 *l.*?—No.

1490. Will you swear he was afterwards?—Yes.

1491. When?—Ever so many times.

1492. When first?—I cannot say.

1493. Was he picking up boulders for you until after the election?—I cannot tell you when it was; it was the winter before last that I was picking up these boulders.

1494. It was not the winter before last you got the 5 *l.*?—Yes; 12 months last November.

1495. Do you mean to swear it was November 1864?—

1496. Was it not very much nearer to the election than that?—No.

1497. Did the policeman go into the "George" with you?—Yes.

1498. Were you and he together in the same room?—Yes.

1499. Did Smith call you out?—I called him out.

1500. Was Smith in the room with you?—He came and brought us in some drink.

1501. But you swear you called him in, and he did not come and call you out of the room?—He came into the room, and I followed him out.

1502. Did not he beckon you out of the room?—No; if he did, I did not see him.

1503. You won't swear that you had been removing any boulders for him before that time?—I would not say that I had.

1504. He paid you in advance?—He did not pay me; he lent me the 5 *l.*, and I said when I could get some fish I would pay him.

1505. It was not for the boulders?—It was to pay my men.

1506. It was not for him?—No; I picked them up myself.

1507. He lent you 5 *l.*?—Yes.

1508. And you were to pay him when you got some fish?—Yes.

1509. Did you pay him?—Yes, when I caught the first lot of fish.

1510. Since the election?—I think not; I paid him when I caught the fish.

1511. By the *Committee.*] Did you call him back?—Yes, I have paid him back.

1512. Mr. *O'Malley.*] I am asking him now, whether it was at the time of the election?—I cannot say that it was at the election.

1513. Was it since the election?—I cannot say, because I do not know when I caught the fish.

1514. You know when the election was?—I do not know the day of the month.

1515. What month was it in?—June, was it, or July?

1516. You are right?—Then I caught this fish in June.

1517. Will you swear you paid Smith in June?—If I caught the fish I did.

1518. Did you get a receipt?—No.

1519. Did you give him an acknowledgment?—Yes; I put my name to an I O U.

1520. You gave that at the time?—Yes.

1521. In November 1864?—Yes.

Mr. *O'Malley* said he proposed to have the letter read.

The letter was handed in, and was as follows:

"Winchelsea, July 10th 1865.

"Dear Sir,

"I have got word from Hastings, and Mr. Breed wishes me to go for Mackon; he says he can't see where this partey dos me aney good, as I don't have but a verrey little beer, so you now all about it.

"Your obeadent,

"*James Glazier.*"

1522. Now, do you know Mr. James Hunter, a tailor, residing at Winchelsea?—Yes.

1523. Had you any conversation with him about your vote?—I do not think I had; very likely I might; I do not know whether I did or not.

1524. Did you tell him that the Mackinnons had been the ruin of you?—Yes, I might say so; I have said so.

1525. Did not you say they had been the ruin of you, and that you would not vote for them?—I cannot say; but very likely.

1526. First of all, did you see Mr. Mackinnon; did he canvass you?—Mr. Mackinnon canvassed me.

1527. Did you promise him?—Yes.

1528. The first time he came to canvass you?—No; I did not.

1529. Did you say to him that his father had been the ruin of you?—Yes.

1530. Did he say to you, "Cannot that be replaced?"—He said he could not help what his father had done.

1531. Did not he say, "Cannot that be replaced?"—Not to me.

1532. Who was with Mr. Mackinnon when he canvassed you?—There was no one with him that night.

1533. The first time?—I cannot say.

1534. When was it that you first promised him your vote?—I cannot tell; I did not keep it in my head when it was.

1535. Now, this Mr. Hunter I spoke of; did you say to Mr. Hunter, if one party gave you 5 *l.* you would not sell your vote if the other party offered you 10 *l.*?—Very likely I did say so; but I cannot say.

1536. You are on your oath?—I know.

1537. That is a thing that would impress itself on a man's mind?—I cannot help that.

1538. Do you mean to say that you cannot swear whether you said such a thing as that, that if one party gave you 5 *l.* you would not sell your vote if the other party offered you 10 *l.*?—I might say so.

1539. Did not you say so?—I cannot say it.

1540. Upon your oath, do not you recollect it?—Upon my oath, I do not.

1541. But you might have said it?—Yes.

Cross-examined by Mr. *Keane.*

1542. In your part of the country what is it you call fish?—What we catch with a net on the sands.

1543. Is it mackerel, or what?—Yes, anything.

1544. What is the time that you fish?—We begin the latter end of April.

1545. And go on to what time?—To Christmas, if the weather will permit.

1546. And

1546. And was it your first catch of fish with which you repaid Mr. Smith the 5 *l.*?—Yes.

1547. Do you recollect how long after the 1st of April you made catch?—I do not know.

1548. Was it mackerel?—Yes.

1549. When you get mackerel, you get a good many, do you not?—I got good that time.

1550. That would enable you to pay 5 *l.*, I hope?—Yes, and I did do so. *J. Glazier.* 21 April 1866.

1551. How much would it come to?—About 50 *s.* a thousand.

1552. That is about 23 *l.* or 24 *l.*?—Yes.

CHARLES HARMER, was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:

1553. You are a Police Constable in the Sussex County Constabulary?—I am. *C. Harmer.*

1554. You remember the last election for Rye?—Yes; it was the beginning of April; I think on the 11th.

1555. Did you see anything of Mr. Glazier, the Witness who has gone out of the room, about that time?—I think it was before that time.

1556. Did you see him about that time, or shortly before, or after?—Before, I think I saw him.

1557. How long before?—I should judge about the latter end of May; but I could not speak positively as to that; it was the time they were canvassing.

1558. Where did you see him?—I saw him at Winchelsea, where I am stationed; he is keeping a public-house there.

1559. What was he doing, or where was he going?—He was going to Rye Harbour.

1560. Did you go with him?—Yes, that is on my beat.

1561. You both went to Rye Harbour?—Yes.

1562. Where from there?—To Rye.

1563. What passed between you?—On the road he said he was going to Mr. Smith's at the "George" Hotel, Rye, to receive 5 *l.*; we had a little conversation, and I said, "What is the 5 *l.* for," and he said, "That is electioneering."

1564. Did he say who he was going to receive it from?

1564.* By the *Committee.*] You said it was for electioneering?—Yes, and he made answer "Yes, it was."

1565. Mr. *Longley.*] Did he tell you what it was for?—Yes.

1566. This was on the way to Rye?—Yes.

1567. Where did you go to on arriving at Rye?—To the "George" Hotel.

1568. That is kept by Mr. Smith?—Yes.

1569. Where did you go to?—The parlour.

1570. What happened?—Mr. Smith and Mr. Glazier went away; they left the room where we went in together.

1571. Did you see Mr. Glazier again shortly after that?—He returned shortly after that; in five or ten minutes he returned.

1572. Did you go home with him?—We went home by train, which is about a mile, or something like that.

1573. What did he say when you were going home?—There was not much said respecting it going home.

1574. Did anything pass between you?—The next day he gave me a note to go and get changed.

1575. What sort of a note?—A 5 *l.* note.

The *Chairman* stated there was no dispute about the money having been received.

1576. Mr. *Longley.*] Had you any refreshment at the "George"?—Yes, we had some brandy and water.

Cross-examined by Mr. *Keane.*

1577. He said everything was electioneering with you now, in answer to you?—No.

1578. He did not say that?—No.

1579. Did not he, in substance, tell you that you were disposed to think that everything at that time was electioneering?—No, there was no such thing said.

1580. This occurred in May?—This occurred as we were walking.

1581. Nobody else was with you?—The distance we had to go to Rye was about four and a-half miles.

1582. Have I asked you about the distance?—No.

1583. Then answer the question; the question I put, which you did not answer, was, was anybody with you?—No, no one.

1584. Nothing was said in Smith's presence, in the room?—Not a word.

1585. It all passed between you and him; whatever was said passed between you and Glazier, without any person being there; any third person?—Nothing was said about electioneering.

1586. Did it all pass between you and Mr. Glazier?—There was only we three.

1587. Which three?—Mr. Glazier, Mr. Smith, and myself.

1588. Was anything said about electioneering matters when Smith was present?—No.

1589. Did you, by any accident, make a note of your conversation?—I did not.

1590. How long have you been in the police?—Nineteen years.

1591. What is your rank in the police?—First class constable.

1592. Is that serjeant, or is serjeant above you?—Serjeant is above me.

1593. Are you sure what you are talking about did not occur in November?—I am quite sure it was not so far back as that.

1594. Was it in December?—No.

1595. You are quite sure it was not in the year 1864?—I am sure it was not.

1596. You have said it was not; was not it in the month of November or December 1864?—No.

1597. Can you tell me about what time it was that the first catch was made by Mr. Glazier, at Rye?—No; I think he made several catches, and the first catch was on a Sunday.

1598. What month?—I cannot tell.

1599. A Sunday

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1599. A Sunday in April or May?—I could not say.

1600. Was it in May?—I could not say.

1601. Can you recollect when the 9,000 was caught; that is a large catch?—I do not remember.

1602. I suppose if Glazier had a good catch, other persons had a good catch?—That is not generally the case, because one might have a catch, and another would not have any.

1603. Can you tell me, with regard to Glazier, when he had his first catch?—I should judge; no, I cannot say.

1604. You were going to judge; now just judge when was it?—It might be in May; I could not say.

1605. Was it in May?—I cannot say.

1606. Is it that you cannot say, or that you will not say?—I cannot; I would if I could.

1607. What is the time the first good catch of mackerel is made?—Sometimes in June, sometimes in July; I do not think they caught anything in May.

1608. The first good catch is in July?—I think so.

1609. Has there been any good catch there this year?—There has been some.

1610. Was there not one yesterday?—I do not know.

1611. There has been some splendid catches this year?—I am not aware.

1612. You have said so?—No, I have not.

Cross-examined by Mr. *Longley*.

1613. You spoke about Mr. Smith being present; he was only present in the "George"; he was not present when you were walking?—No, only Glazier and I.

RICHARD FULLER, was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:

R. Fuller.

1614. YOU are a Farmer, I believe?—A grazier.

1615. You live at Winchelsea?—I do.

1616. Do you remember last year a cricket match at Winchelsea?—I do.

1617. Do you remember at what time that cricket match was?—I cannot speak with any certainty as to the date; but about the middle of June, as near as I can say.

1618. By the *Committee*.] Do you mean last June?—Yes, last June.

1619. Mr. *Longley*.] Do you remember a tea party at Glazier's?—Very well indeed.

1620. Can you give us the names of any of the people that were there; I suppose you were at the tea party yourself?—I was.

1621. Where was it?—At Glazier's.

1622. Will you tell us who you remember being there?—I remember seeing Vidler.

1623. Glazier was there?—Yes.

1624. Who else?—Mr. John Chappell Vidler.

1625. Who else?—Richard Payne, the blacksmith.

1626. Anyone else you remember?—I think there was a person named Hayward, but I cannot say; I am not sure.

1627. You say you remember Payne and Vidler being there, and Glazier?—Very well, I do.

1628. Will you tell us anything you remember that passed there?—I remember a conversation between Glazier and myself. We were sitting in two chairs, close together, and he told me he was very sorry indeed that he had promised to vote for Mr. Macdonald; he said that even now, if he liked to turn and vote for Mackinnon, he could have a new set of nets. I afterwards spoke to Mr. Vidler, and told him I had for some time felt doubtful whether Glazier would not desert us, and I felt more sure of it now. I do not remember anything more he said to me beyond; that is the only thing.

1629. By the *Committee*.] He said if he turned he could have a new set of nets?—He did.

Cross-examined by Mr. *Keane*.

1630. You thought it was a sort of bait to you to get a set of nets?—No; I was satisfied that he did not think me a likely man to interfere.

1631. Would he not think that you would be likely to tell somebody else?—No.

1632. He thought you would not tell Vidler?—I think not.

1633. He had so high an opinion of you that you would not tell Vidler?—I do not think he would think so; he had no reason.

1634. Could not he suppose that you might say, "There is that fellow Glazier, who wants a set of nets to vote for us. He has been talking about the other side having offered them, and being able to get them from the other side, which I do not believe; but he wants us to make him an offer; go and offer him something"?—You are rather deeper in those things than I am. That is an idea that never entered my head if you had not placed it there.

1635. How long have you been connected with electioneering matters?—This is the first time.

1636. And I should think it would be the last time, if you could not take a hint?—I never thought a bit about it.

1637. You went to Vidler?—I told him I was doubtful about Glazier, and I told him so before.

1638. Did you tell him your reason?—I think I did; but I am not sure.

1639. Vidler was the secretary of the Conservative Association?—Yes.

1640. This was a Conservative tea party?—Yes.

1641. You were all met to encourage one another in your political opinions?—Of course we were.

1642. I am of opinion that it requires encouragement; and you were talking together, and you thought you had reason to suspect that Glazier was doubtful?—Yes, I had reason to suspect it before.

1643. And this clenched it?—Yes.

1644. Did not you think he was baiting for nets?—No.

1645. Did not Mr. Vidler?—No.

1646. Did not Vidler say, "I must do something for him"?—No.

Re-examined

Re-examined by Mr. *Longley*.

1647. Were the two Mr. Hoads there before?—I saw them at the bar.

1648. Was Mr. Mackinnon there?—I heard he was in the house, but I did not see him myself. As to its being a Conservative party, I do not know whether it was a Conservative party. I heard Mr. Vidler invite the Hoads to tea.

1649. Mr. *Keane*.] To convert them?—I do not know that.

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Mr. Henry Sanders Edwards, was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:

1650. Will you tell us what you are?—I am manager of my father's business.

1651. What is his business?—Hemp and flax manufacturer.

1652. Do you produce any letters; you have been subpœnaed to produce letters?—Yes, I have.

1653. Have you them with you?—Yes; I have.

1654. Will you produce them?—Yes. (*The letters were produced*).

1655. Whom did you receive those letters from?—Some from Mr. Brocklebank and some from Mr. Glazier.

1656. Is that letter (*referring to a letter*) from Mr. Brocklebank?—Yes.

1657. By the *Committee*.] Did you say you received some letters from Mr. Brocklebank and some from Glazier?—Yes.

1658. Mr. *Longley*.] Are those letters from Brocklebank and Glazier?—I am not sure whether there are any from Glazier; I forget what the subpœna says, but I told the clerk in the office to give me any letters bearing on the case, and those I have brought with me; what letters they are I do not know.

1659. Will you look at those letters (*handing some letters to the Witness*)?—These letters appear to be from Brocklebank.

1660. And this letter (*referring*)?—This is from Brocklebank.

1661. Do you produce any letters from Mr. Smith?—No.

Mr. *H. S. Edwards.*

[The Witness withdrew.

Mr. *Keane* asked whether Mr. Longley had done with the case of Glazier.

Mr. *Longley* replied in the affirmative; but they must put in the letters.

Mr. *Keane* said that they could not be put in.

Mr. *Longley* said that he understood that the letters were to be put in, and that Mr. Keane was going to raise some objection when the Witness withdrew; therefore, he should ask that the Witness be re-called, and asked whether he knew Brocklebank's handwriting.

Mr. Edwards was re-called.

1662. Mr. *Longley*.] Have you seen Mr. Brocklebank write?—No, I have not.

1663. Do you know his handwriting?—Only from the general appearance of his handwriting.

1664. By the *Committee*.] Could you swear to his handwriting?—I could swear it was the same handwriting that I saw on the acceptance of a bill and the endorsement of a bill.

1665. Mr. *Keane*.] You did not see him endorse the bill?—No.

1666. Mr. *Longley*.] Did you renew it?—Yes.

[The Witness withdrew.

Mr. *Keane* asked if Mr. Glazier's case was closed.

Mr. *Longley* said it was.

Joseph Hillenden, was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:

1667. You are a Pilot?—I am, a Trinity Pilot.

1668. And live at Rye?—Yes.

1669. You remember the date of the last election, do not you?—The 12th, I think it was.

1670. The 12th of what?—The 12th of last July.

1671. Did you see Mr. Robert Hoad shortly before that?—I saw him frequently; I was constantly in the habit of seeing him.

1672. Did you see him on the subject of the election?—I never saw Mr. Robert Hoad subject to the election at all; he questioned me at times whom I intended to vote for; at different times he asked me that, but I cannot say the date.

1673. What did he say when he put those questions to you?—He simply said he would like to have my support for Mr. Mackinnon.

1674. What did you say to him?—I should please myself whom I should vote for when the time came; that I was an independent voter, and I should vote for whom I chose.

1675. You told him whom you were going to vote for?—I did not.

1676. You did not mention the name?—No; I did not mention any name that I was going to vote for, neither for nor against.

1677. Did you have any conversation about piloting?—Not at all; there was a little conversation respecting piloting.

1678. What was that?—There is another branch pilot, besides myself, and he had transgressed a little in transporting a ship, and Mr. Hoad said he should give me the preference to the other pilot with regard to navigating the ships.

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1679. With regard to his ships?—Not his ships, but any ships he was connected with.

1680. That was the same time that you were talking about the election?—The election might have been brought up in conversation at the time.

1681. When you were talking about piloting, what did you say about the election before that?—I never said anything about the election.

1682. Mr. Hoad did, though?—Mr. Hoad was speaking about the candidates.

1683. Mr. Hoad said he would help you to the piloting some vessels?—He did not say on conditions that I would vote for the member he was supporting.

1684. You are quite sure of that?—Yes.

1685. In talking about the piloting, he said something about it?—On another occasion the other pilot had transgressed, and the ship had got damage.

1686. He did not say he would give you the piloting on condition?—No.

1687. Did he say he would give you the piloting if you would vote for Mackinnon?—He said he would like me very much to vote for Mackinnon, but he did not promise me any conditions.

1688. Did he hold out any hope?—Not more than I have said.

1689. He said something about piloting?—He said I should have the preference with regard to piloting.

1690. He asked you to vote for Mackinnon, and said he would do what he could for you in the way of piloting?

Mr. *Keane* said it was not that way.

The *Witness.*] There were no express terms at all.

1691. Mr. *Longley.*] Have you been in the habit of piloting for Hoad before?—Yes.

1692. Had you piloted ships before this time?—Oh, yes, quantities.

1693. Had you been regularly employed by him?—No, I am a general pilot.

1694. You are quite certain you had been in the habit of piloting for Hoad before?—Yes.

1695. Did you vote at the election?—Yes, for Mackinnon.

1696. Have you been working for them since?—Yes, occasionally.

Cross-examined by Mr. *Keane.*

1697. How many pilots are there at Rye?—Only myself now; the other branch pilot died about three weeks ago.

1698. Mr. *Longley.*] You remember the time when you were appointed?

Mr. *Keane* said that did not arise out of his cross-examination.

[Adjourned till Monday morning, at 11 o'clock.

Monday, 23d April 1866.

THOMAS WILLIAM EVANS, Esq., in the Chair.

The Names of the Members were called over:—All present.

Robert Edward Bottle, was called in; and, having been sworn, was Examined by Mr. *O'Malley*, as follows:

1699. You are a Shoemaker residing at Iden, near Rye?—I am.

1700. Were you a voter at the last election?—Yes.

1701. And you voted for Captain Mackinnon?—Yes.

1702. Had you been previously canvassed by Colonel Macdonald?—No.

1703. Never?—No.

1704. Had you been canvassed by any one in behalf of Colonel Macdonald?—Yes.

1705. By whom?—Mr. Burgess.

1706. You did not promise your vote, I believe?—No.

1707. Not to any one?—No.

1708. But you told Mr. Burgess that Mr. Macdonald was the man for you?—I do not remember that I did.

1709. Do not say you do not remember. You knew you were to be examined, and have had time to think of this?—I have tried to think of all I can, but I cannot think of everything.

1710. Did not you tell Mr. Burgess that Mr. Macdonald was the man for you?—I believe not.

1711. What did you say to him?—He asked me if I would promise him that I would vote for Mr. Macdonald, and I told him that I could not.

1712. Did you tell him anything about your approval of Mr. Macdonald's principles, or anything of the kind?—I really cannot remember.

1713. You can remember it perfectly well. Do you remember about the Maynooth Grant?—Yes, I do.

1714. What did you say about Mr. Macdonald's principles?—He did not put that question to me.

1715. I do not say whether he put the question to you, but tell us what passed about the Maynooth Grant?—He asked me if I had made up my mind whom I should vote for, and I told him I had not. I told him I should not vote, if I had one hundred votes, for any man who had the least bit of Romanism in him.

1716. Did not you tell him that you liked Mr. Macdonald because he opposed the Maynooth Grant?—He said, "He is the very gentleman." I said, "Is his principle that?" and he said it was. I said, "I cannot promise you."

1717. Did Mr. Burgess call upon you on the 6th June?—I do not know; that is impossible for me to tell.

1718. In the month of June?—I do not recollect.

1719. Your memory is very bad, and we must try to refresh it by speaking to him? *R. E. Bottle.* 23 April 1866.

Mr. *Keane* objected to the question.

1720. Mr. *O'Malley.*] Did you owe Mr. Avery any money about the time of the election?—I did.

1721. How much?—I do not know.

1722. About how much?—As near as I can judge, I should think—I cannot tell you exactly.

1723. I do not want it exactly, but as near as you can?—I should think—I had a running account with him.

1724. As near as you can judge is what I want to know?—I kept paying him some money, and had some money.

1725. That is not the question; you know it quite well; but how much did you owe him?—I should think it would be over 10 *l.*

1726. Your debts do not lie so lightly upon you as not to recollect. Did you owe him 10 *l.* previous to the last election, the month previous?—That is as near as I can say.

1727. Have you ever paid him that 10 *l.*?—Not all of it.

1728. Any portion of it?—Yes.

1729. When?—That I cannot tell you without I was at home.

1730. Did you increase that debt since?—I have kept having some and kept paying him.

1731. Did Mr. Avery speak to you before the election on the subject of your debt?—No.

1732. Never?—No; positively, never.

1733. Now, your memory is quite clear upon that subject. Did anybody else speak to you on the subject of Mr. Avery's debt?—Yes, Mr. Burgess and Mr. Henbury.

1734. Has anyone else spoken to you on the subject of your debt?—Not that I can recollect.

1735. You can recollect Mr. Burgess and Mr. Henbury?—Upon my soul, I do not recollect.

1736. You are on your oath, man. Did any one else speak to you on the subject of your debt?—I do not know.

1737. Did you tell Mr. Burgess that your debt was to be forgiven if you voted for Mr. Mackinnon?—I did not.

1738. Nothing of the kind?—No.

1739. I will put the words to you. Did not you say to him "Through the ill health of my family I have got into debt, and I owe John Avery, of Rye, some money, and he has promised me, if I will vote for Mr. Mackinnon, that he will forgive me the debt, and that I shall have a receipt

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receipt for the money?—I solemnly swear I did no such thing.

1740. Anything of the kind?—I said to Mr. Burgess, "You know my circumstances, and know how I am situated." I said, "Put it to yourself; I consider it is my duty to vote in favour of Mr. Avery, because, I said, I have to look at the after claps after the election. Perhaps he will come down upon me for what I am owing him, and I will be in a pretty mess." I said, "I do not see how I can vote for you." That is the last time I said anything about it.

1741. I am not asking you the last time, but the first time?—That is the question.

1742. I am asking you the first time; did not you tell him that Mr. Avery had promised to forgive you the debt, if you would vote for him?—I did not.

1743. Mr. Burgess is here, and Mr. Henbury?—I would solemnly swear it, to the day of my death.

1744. Nor anything of the kind?—No.

1745. You had no communication with Mr. Avery about your debt?—No.

1746. Nor Mr. Hoad?—No.

1747. Nor Mr. Smith?—No; I voted on principle.

1748. What was the principle?—Liberal principle.

1749. Liberality of creditors, was that it?

Mr. *Keane* objected to the question.

1750. By the *Committee.*] What principle did you vote for?—The Liberal principle.

1751. Mr. *O'Malley.*] Tell me this: did you say to Mr. Burgess himself, two or three days before the election, that Mr. Avery would not give you a receipt for the money, but told you you might rely on his word?—I did not.

1752. Nothing of the kind?—No.

1753. You swear you said nothing of the kind?—No. When I say, "Nothing of the kind," I said, "Well, I thought I must say 'Yes' or 'No' to him when it came to the last push;" and the reason I had dallied with him was, because I did not want to offend him; he had been a good friend to me, a good customer, and I did not want to offend him; that is the reason I kept dallying with him; and then I thought I must tell him plain, and I said, "I cannot vote for him;" and he said, "Mind you get a stamped receipt for the money;" and I said, "All right about that."

1754. He said that?—Yes; he put the words into my mouth.

1755. You said, "It's all right without that"?—I said, "It's all right about that." He meant for me to go and see about it.

1756. Mr. Burgess said to you, "Mind you get a stamped receipt for the money;" and you said, "It's all right about that"?—I did not say "It's all right;" I said "All right."

1757. What was the stamped receipt for?—I owed him some money.

1758. What was the stamped receipt for?—He knew that I owed Mr. Avery some money. He said, "If you vote that way, mind you get a stamped receipt before you vote;" and I said, "All right about that."

1759. You had been speaking to him before about the receipt?—Not before he mentioned it; not before he put the words into my mouth; then he said as I say to you.

1760. If you never said anything about the receipt, how came you to say that; what do you mean by "receipt for the money"?—He was talking about it.

1761. What had you been saying about a receipt?—I had been saying nothing; I said, "You know how I stand."

1762. That is another interview?—So it was.

1763. You told him that you owed Mr. Avery money. I will have a witness here, and you may hear of the consequences another time. I will put the words to you: did not you say to him on that occasion that Mr. Avery would not give you a receipt for the money, but had told you that you might rely on his word?—I did not; I solemnly declare I did not.

1764. Did not Mr. Avery say anything to you about it?—He did not.

1765. Did Mr. Avery canvass you for your vote?—He did not.

1766. Did he ever speak to you on the subject of your vote?—He never said anything to me till the night before the election; that is, I was down the street, and he said, "Are you coming down to-morrow morning."

1767. Where were you?—At Rye.

1768. Where at in Rye?—Walking up the town, and he was standing at his door.

1769. What did he say?—He said, "Are you coming down in the morning;" and I said "Yes;" and he said, "All right."

1770. Nothing further?—No.

1771. Did not he ask you what you were going down for?—No.

1772. And you did not tell him?—No.

1773. Did he not ask what you were going down for?—No.

1774. And you did not tell him?—No.

1775. He never mentioned Mr. Mackinnon?—No.

1776. How did you know that he would like you to vote for Mr. Mackinnon or Mr. Macdonald?—I knew that very well.

1777. How?——

1778. By the *Committee.*] I suppose his political principles were well known?—I knew he was strong that way.

1779. Mr. *O'Malley.*] Had you ever heard him say so?—I do not know that I had heard; but I heard people talking.

1780. Who did you go to the poll with; Mr. Avery?—Yes.

1781. Did he come and fetch you?—I think he was up there.

1782. Did he come and fetch you?—Yes.

1783. Why did not tell us that at once. Did he come on foot or in a carriage?—He came in a cart.

1784. Whose cart was it?—I do not know.

1785. Do you know that it was Richard Smith's cart?—I do not know.

1786. If you had promised that you were coming down, how was it that he came and fetched you; were not you surprised?—I did not know why he came and fetched me.

1787. By the *Committee.*] Who was Mr. Avery?—A shoemaker and leather-seller.

1788. Mr. *O'Malley.*] You know Mr. Henbury?—Yes, very well.

1789. Did Mr. Henbury canvass you for Mr. Macdonald?—Yes.

1790. Did you tell him that you could not promise him; that you would like to vote as he wished, but that you were short of money?—I told him I should be very glad to oblige him (that is the words I said), but I could not.

1791. Did

1791. Did not you tell him that you were short of money?—No.

1792. That you swear?—Yes, that I swear; not them words.

1793. Anything of the kind?—I did not tell him those words.

1794. Tell me as near as you can?—I said, "You know how I am circumstanced." Those are the same words as to Mr. Burgess. He said, "I do, Bottle, very well, and I know it is impossible for you to keep out of debt, the way you have been circumstanced." I said, "Very well, I must look to myself a little; and I am afraid if I vote your way, for Mr. Macdonald, I shall offend Mr. Avery, and perhaps it would be a bad job for me afterwards, and he will come to me for the money I owe him." I told him the same.

1795. Here are two persons, Mr. Henbury and Mr. Porter, who called upon you together?—They both came to the house.

1796. And canvassed you for Mr. Macdonald?—Mr. Porter said nothing.

1797. Did they canvass you for Mr. Macdonald?—Yes.

1798. By the *Committee.*] They came to your house?—Yes.

1799. Mr. *O'Malley.*] Who canvassed you?—Mr. Henbury.

1800. Did not you say on that occasion that you owed some account for leather, and that it was promised that your debts should be paid if you would vote for Captain Mackinnon?—I solemnly declare that I did not.

1801. Did not you say that you would not go up and vote until you had the receipt for the bill you owed in your possession?—I did not.

1802. Nothing of the kind?—Nothing of the kind.

1803. Was anything said about a stamped receipt?—I think Mr. Henbury said, "You know what you said to Mr. Burgess," or something about that, relating to the words about a stamped receipt; and I said, "I know what I did say to him."

1804. What did he say about a stamped receipt?—He said what I tell you. He said, "You know what you said to Mr. Burgess about a stamped receipt;" and I said, "I know what I said to him."

1805. That was all, you swear?—Yes.

1806. I will ask you about another person, who will be here also. Do you know Isaac Parsons?—Yes.

1807. Was Isaac Parsons canvassing you for Mr. Macdonald?—He did. *R. E. Bottle.* 23 April 1866.

1808. Did you say to him, "I have a large family, and must get something for my vote"?—I did not.

1809. Nothing of the kind?—Nothing of the kind.

1810. What did you say to him?—He asked me if I was going to row in the same boat with him; and I told him no, I did not see how I could.

1811. That is all that passed; did not you give him any reason for it?—That is all that passed.

1812. That you swear?—That I swear.

1813. Did you say that you wished to do away with the impression that he had that you had received anything for your vote?—I was coming up the street; I forget whether I met him or turned round; but I was coming up, and I fell in with him in the street above his house. I owed him a few shillings, and thought he was going to speak to me about that; I broached the subject. I had a pair of shoes to make for his son, and I said, "I have not got those shoes done yet;" he said, "I thought you had plenty of money;" I said, "I wish I could make you prove your words;" and he said, "Come here, come here;" and so I went in to him, and he had me in his private room, and he put his hand on the Bible, and said, "Would you be upon your oath that you did not get any money?" I said, "Yes, upon 40 Bibles."

1814. Did you not say that you wanted to get rid of the impression that your conversation might have had upon him, that you had anything for your vote?—That is all I said.

1815. Did not you say to him that you did not expect to be called upon to pay Mr. Avery's bill?—I did not.

1816. Did you see Mr. Burgess on the day of the election?—I did.

1817. Did not you explain to him why you had voted?—I did not.

1818. Did not you speak to him about it?—No.

1819. Did you act as waiter at the "George" after the election was over?—I did not.

1820. Did you remain at the "George"?—I did not.

1821. Not at all?—Perhaps an hour.

1822. Had you any refreshment?—Yes.

1823. And paid for it?—I did.

1824. Whom did you pay?—I paid Mrs. Smith, I think it was, but I would not be sure.

Mr. GEORGE JENNER, was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

1825. WHERE do you reside?—At Udimore. *G. Jenner.*

1826. What are you?—A Farmer and Grazier.

1827. Is that near Rye?—Yes.

1828. Are you an elector for the borough?—Yes.

1829. For whom did you vote at the last election?—For Captain Mackinnon.

1830. Do you remember, in the month of January 1864, Captain Mackinnon calling upon you?—I cannot recollect any particular day, but I know Captain Mackinnon called somewhere about that time.

1831. By the *Committee.*] In 1864?—Yes, about a year and a-half before the election.

1832. Mr. *Longfield.*] Did he call upon you at your residence?—Yes; do you mean the first time that Mr. Mackinnon called upon me.

1833. Yes?—About that time; that was the first time.

1834. By the *Committee.*] You believe it was in January?—It might be, but that is near enough.

1835. Mr. *Longfield.*] Did he invite you and Mrs. Jenner to visit him at any time?—I do not think he did at that time; I will say that he did so either at that time, or one day when he dined with me at Udimore; when he left he said, "When you are coming up to town we shall be glad to see you at Ham Common."

G. Jenner.

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1836. You dined with him?—No, a luncheon with him.

1837. Did he ask you to vote at the last election?—When he canvassed the borough he canvassed me.

1838. Did he canvass you at that time in 1864?—I cannot say at that particular date or not, because I cannot recollect, but it might be; he did canvass me some time in the year 1864.

1839. Had he any conversation with you then about the prospects or the expectations that his father had at that time?—I think at that time his father was likely to be made a peer; I think it was said, something about that.

1840. He told you something of the kind?—Yes; there was a report in the paper at that time, and I do not know whether I advanced it, or he told me.

1841. Did he tell you also about having a brother a Member of Parliament at that time?—I cannot recollect his saying anything about his brother.

1842. Did he say it any other time?—Not to my recollection; but I know he had a brother the Member for Leamington.

1843. Have you two nephews?—I have.

1844. Did you say anything about two nephews that you wished to put out in the world?—Not at that time.

1845. I presume you did say something to him?—I think some time afterwards I said, "Captain Mackinnon, I have two nephews whom I should like to get into a Government situation; I have applied to your father, through Mr. Butler, who I believe has written to your father, to see if he can get the nomination for an examination for the civil service"; or something of that kind.

1846. Was that about the time he canvassed you?—No, it was a long time after we were talking about the election; perhaps six or eight months.

1847. But before the election itself?—Yes; but I had promised him long before I named the subject that I would give him my support and my vote.

1848. What did you say to him about it?—Nothing further; but I told him his father had been applied to, and I thought his father was rather lukewarm; if he could jog his memory I should be obliged to him.

1849. What did he say?—He said, when he saw his father he should remind him of it, or something of that kind.

1850. Did, in truth, one of those nephews get a nomination to any place?—Yes, one has had a nomination; but I applied to other members besides Mr. Mackinnon.

1851. One of the nephews has got a nomination?—He has.

1852. By the *Committee.*] Who was the other Member?—I applied to Mr. Dodson, the county Member, whom I always voted for.

1853. Mr. *Longfield.*] Do you know a man named Robert Kenward?—Yes.

1854. And Captain Stileman?—Yes.

1855. Do you remember having any conversation with those gentlemen, or either of them, about your vote?—We have frequently talked it over.

Mr. *West* objected to the mode of examination.

1856. Mr. *Longfield.*] Did you state to them anything about your voting for Captain Mackinnon.

Mr. *West* objected to the question.

The *Chairman* said the Committee wished to know what Mr. Longfield wished to get at.

Mr. *Longfield* said he wished to ask the question: "Did you tell those gentlemen, or either of them, the reasons for Captain Mackinnon." If the Witness said he did not, there was an end to the matter.

Mr. *West* objected to his answering, either yes or no.

Mr. *Longfield* did not intend to ask a question to discredit the Witness.

Mr. *West* said if that was so, his friend had put himself out of Court.

The *Chairman* said he would ask the question himself.

1857. Had you any conversation with those two gentlemen, Mr. Kenward and Mr. Stileman, about the election?—Mr. Kenward and I are great friends; and we frequently spoke about the election. He is a relation of mine, and we have been friends for years. He takes one side, and I take the other.

1858. Did you give either of those gentlemen reasons for your voting for Mackinnon?—They both knew I was a Liberal.

1859. Did you give them any reasons?—No, certainly not. I may have said, in course of conversation, something like this, as near as I can recollect: Captain Stileman is one of the gentlemen you name, and he was once at my house, in my dining-room; we were sitting down, quietly talking about the election and other matters, and he said something to the effect that he was sorry that I was not with them. I said, "I always voted for the Liberals, and I cannot turn my political feelings for the sake of anything one may do for another." That is, as near as I can recollect; I said, "I cannot do anything of the kind." I said, "I have applied to Mr. Mackinnon's father, to get my nephew a situation," and, independently of my political views, I considered I was in favour of supporting him as a candidate; I considered myself independent of anything of the kind; I did not consider myself under any obligation about that.

1860. Mr. *Longfield.*] Since the election you got a nomination for your nephew?—Yes.

1861. Were you on Captain Mackinnon's committee?—He had no committee.

1862. Did he have a committee-room?—He never had any committee, to my knowledge.

1863. Did you take an active part in the election?—Yes.

1864. Were you there every day?—Perhaps twice a-week.

1865. When you went through the town, did you see no committee-rooms?—There was no committee.

1866. Had he placards: "Mackinnon's Committee-room," or "Mackinnon's rooms"?—No placards.

1867. No committee?—Not to my knowledge.

1868. He might have one without your knowledge?—I do not believe there was a committee.

1869. Were you ever at the "George" Hotel?—Yes.

1870. Were you ever in the room on the first floor?—We had a meeting one night there.

1871. Who was in the chair at that meeting: Captain Mackinnon?—No, I was in the chair.

1872. It

1872. It was a meeting of Captain Mackinnon's friends?—Yes.

1873. You were in the chair?—Yes.

1874. Tell us the names of some of the gentlemen present: was Captain Mackinnon himself there?—He left the room; he was there the first onset; he went out, and when he came back afterwards the meeting was nearly over.

1875. He had been in and out, and was at the commencement of the proceedings?—Not the commencement of the proceedings.

1876. He was in the room during the proceedings more than once?—The meeting was over when he came into the room. That is as near as I can recollect.

1877. You were in the chair?—Yes.

1878. Who were present?—There were several there.

1879. You remember the names of some?—Dr. Bankes was there.

1880. Who else?—I think Mr. Lawrence Reeves.

1881. Who else?—I think Hoad was there.

1882. Mr. James Hoad?—I cannot tell which.

1883. There was one of them there?—Yes.

1884. Perhaps both were there?—I cannot recollect whether they were both there or not.

1885. You recollect one there, but you do not know which?—They might be both there.

1886. Is it probable they were both there?—I cannot tell.

1887. You recollect that one of the Mr. Hoads was present; both might have been, but you forget which of the two was present?—Yes.

1888. Do you remember any other person?—I think Mr. Jones, from Winchelsea, was there, Mr. Hemmings, and several others, supporters of the Liberal cause.

1889. Mr. Henry or Mr. George Hemmings?—The old gentleman.

1890. Any others?—There might be more there; I cannot tell; they are the principal names.

1891. I will suggest to you: do you recollect Mr. Smith being present?—Yes, James Smith.

1892. Richard Smith?—I did not see him.

1893. He might have been there without your knowledge?—Yes.

1894. There were a good number there?—Yes. It was the first meeting at which we had to consider whether we should support Mr. Mackinnon or not.

1895. Was Mr. Avery there?—I think not. I won't swear; I think not. I do not recollect him.

1896. Was Mr. Henry Jones there?—Yes, I said so.

1897. John Jones?—That I cannot say; I cannot recollect him.

1898. Joseph Judge?—I think he was there, but I could not swear.

1899. Frederick Ruby?—He was there.

1900. Mr. Butler?—He was there, I know.

1901. Mr. William Dawes?—He was there.

1902. Butler and Dawes were Mr. Mackinnon's election agents?—I understood so.

1903. Mr. Mackinnon came in and expounded his sentiments to you?—I really cannot recollect; I know I was there but a very little while.

1904. Those two gentlemen named were his two law agents, were they not?—Yes.

1905. Did you come to a resolution to support Mr. Mackinnon at the election?—We did.

1906. And to use your best exertions to return him?—Yes.

1907. Mr. Mackinnon came in and returned you thanks?—I do not recollect that.

1908. Had you other meetings there or elsewhere?—I attended one meeting at Rye, at the "Crown."

1909. When did that take place, do you remember?—I cannot recollect; but I should say a month, perhaps, after the other.

1910. Were you in the chair then?—I think not.

1911. Who was in the chair, or was the chair taken at all?—I do not think the chair was taken at all that night; it was an open meeting.

1912. Was it at night?—Yes.

1913. Do you remember the names of those present? Was it the 22d of May?—I should say a fortnight or a month after the other.

1914. Do you recollect who were there then?—About the same party that were there before; a few more.

1915. Was Mr. Mackinnon at that meeting?—I think he was?—I am not certain.

1916. Was Mr. Hoad at that meeting?—I think he was.

1917. The two Messrs. Hoads. I find there are three; Mr. James Hoad, Robert Hoad, and Lewis Hoad?—I believe there were one or two there. I cannot recollect. I rode down, and went back after a short time.

1918. Was Mr. Smith there?—I cannot answer.

1919. Mr. Henry Bourn?—I cannot recollect.

1920. Do you remember Mr. Mackinnon that night making a speech on the malt tax?—I think he did.

1921. Was it to the effect that it was desirable to repeal the malt tax?—Something about the malt tax.

1922. Did you illustrate the operation of the malt tax by the company taking anything that night?—I rode down, took a glass of grog, and went back. I did not stay long.

1923. You do not know whether they tried the practical operation of the malt tax?—I do not know what was done after I left; I was not there more than an hour or an hour and a half.

1924. Did you see any of the other gentlemen partake of refreshment?—Of course we did not meet there for nothing; what we had we paid for. I had a cigar and a glass of grog. I paid for it, and the rest did the same, I suppose.

1925. Did you accompany Mr. Mackinnon in his canvass at that time?—Yes, in my own parish; ours is an electoral district.

1926. You accompanied him frequently on his canvass?—I think I went only once; I might go twice perhaps.

1927. Who was with him on those occasions?—I do not recollect anyone; I think we went alone. I will not swear to that, but if you can suggest anyone I will tell you.

1928. At present you do not recollect who there might have been; but there might have been some other person?—There might, but I do not recollect.

1929. Did you see Mr. Mackinnon canvassing at any other place?—I think not; only in my own parish.

1930. You did not see him canvassing in Rye or in any other place—I never heard him ask anyone for his vote, to my recollection, out of my own parish.

G. Jenner.
23 April 1866.

1931. Do you know the New Inn at Winchelsea?—Yes.

1932. Do you remember previous to the election in 1865, a meeting taking place there?—Yes, there was a meeting.

1933. Were you present?—Yes, I was there.

1934. Who was in the chair?—Mr. Griffiths, I think.

1935. Was Captain Mackinnon present?—He was.

1936. Do you happen to recollect the names of the other gentlemen?—It was a large meeting, and a great many of the electoral district friends were there.

1937. Was there a Mr. Gasson there?—I do not think so; I hardly know Mr. Gasson.

1938. Mr. Ralf?—I do not know anything about him.

1939. Elliott?—I know nothing about him.

1940. Russell?—No.

1941. Medhurst?—I do not know the name.

1942. Howland?—He was there, I know him.

1943. He resides at Rye?—Yes.

1944. Mr. Vennell?—I think he was there.

1945. He resides at Rye?—Yes, he resides at Rye; and there were several other people there.

1946. Avery?—I do not know whether he was there or not.

1947. Judge?—I think he was there.

1948. Richard Smith?—I think I saw him there; I am not speaking positively, but I believe, as far as my recollection goes, he was there.

1949. You rather think he was there?—Yes.

1950. The two Mr. Hoads?—There was one of the two there, I cannot say which, and they might be both there.

1951. Mr. Jenner?—That is myself.

1952. Mr. Wm. Payne?—What is he, where does he live?

1953. He is called the mayor of some place, but he is a shoemaker?—I cannot recollect; I think I heard him laugh, but I cannot recollect him.

1954. Mr. James Hemmings?—He is the landlord of the house, I believe.

1955. There were about 60 or 70 persons present?—I think something like that, 40 or 60.

1956. What was the subject of the meeting?—The same as all our meetings had been, to support Captain Mackinnon at the election.

1957. To use your best exertions to return him?—Yes.

Cross-examined by Mr. *West.*

1958. You paid for your own glass of grog on the 22d of May; what did you have on the 24th of April at the meeting?—I cannot recollect, but whatever I had I paid for.

1959. Did you go to that meeting in consequence of receiving a circular like this (*handing a circular to the Witness*)?—I do not know, but I fancy it was.

The circular was as follows:—

"Private. Rye, 21st April 1865.

Dear Sir,

You are particularly requested to attend a meeting at the "George Hotel" in Rye, on Monday the 24th instant, at 7 p.m., to take such steps as may then be considered necessary to ensure the return of Captain Mackinnon, R.N.

Yours, &c.

(signed) *G. Slade Butler,*
William Dawes."

1960. By the *Committee.*] This was at Winchelsea?—Yes.

Mr. *Keane* stated there was another circular which was as follows:—

"Private. Rye, 5th May 1865.

Dear Sir,

Several of Captain Mackinnon's warmest supporters will meet at the "George Hotel," Rye, on Monday the 8th instant, at seven o'clock p.m., when we particularly hope you will attend.

Yours, &c.

(signed) *G. Slade Butler,*
William Dawes,"
Agents for Captain Mackinnon.

1961. Mr. *West.*] So much for the treating. Now for the bribery. The gentleman you had the conversation with, Mr. Kenward, is in the petition?—It is a brother of his.

1962. Mr. Stileman is the petitioner?—Yes.

1963. And Mr. Kenward is the surety?—That is the brother of the other.

1964. I believe you are what is called a well-known Liberal at Rye?—I always voted for the Liberals.

1965. You are a very large farmer?—I farm about 800 acres.

1966. And are considered by your friends, although not by yourself, a very influential man?—I do not know, but I stand well in my own parish.

1967. You are a supporter of Captain Mackinnon, Mr. Dodson, and Lord Edward Cavendish?—Yes.

1968. You voted for Kent?—Yes.

1969. And you voted for the Liberal candidates?—I paired off.

1970. You say you had asked old Mr. Mackinnon to get a nomination for one of your nephews?—I asked Mr. Butler to write. I did not see him.

1971. When you saw Mr. Mackinnon you asked him to jog his father's memory?—Yes; that was six months after we talked about the election, I did not like to mention it to him before.

1972. You also applied to Mr. Dodson for the same thing?—Yes.

1973. Did you apply to Lord Edward Cavendish?—I have not done so.

1974. A nomination was obtained for one of your nephews?—Yes.

1975. He has not got the place from that nomination?—No, he has not.

1976. He was not one of the successful candidates?—He passed the best, but not the final examination.

1977. You told us there was no committee or committee-rooms. There has been a letter put in of Mr. Mackinnon's——

The *Chairman* observed it was the 20th of April.

1978. Mr. *West.*] The 20th of April was before any of the meetings had taken place?—I forget when the meetings did take place.

1979. The first circular is dated the 21st of April?—Yes.

1980. The mention by Captain Mackinnon of an election committee was before any meeting had taken place, if it was on the 20th of April?—I think it must have been; I never heard of any committee-room at all.

1981. Do

1981. Do you recollect whether it was about the 20th of April that he came down first to Rye to canvass?—I do not recollect when he came first. I do not think I should be called upon to speak about dates.

1982. I suppose those gentlemen you mentioned as being present at the meeting, Dr. Banks, he is a magistrate?—Yes.

1983. And they were generally Liberal supporters?—Yes.

1984. And Mr. Kenward is a thoroughly respectable gentleman?—Yes.

Re-examined by Mr. *Longfield.*

1985. Did you ever vote at Rye before?—For the county, but not for the borough; I was not in the neighbourhood; there was not a contest. *G. Jenner.* 23 April 1866.

1986. You never voted for Rye?—I never voted for Rye, only for the Liberal for the county.

1987. You were not an elector before, were you?—Yes, but there was no contest for some years previous.

Mr. *Keane* stated that in 1853 the witness was not there, and in 1857 and 1859 there was no contest.

Mr. *Longfield* observed, he had asked him if he had voted for Rye before, and the witness had replied that he had not.

The Reverend William Brocklebank was called in; and, having been sworn, was Examined by Mr. *Longfield,* as follows:

1988. Are you a clergyman of the Church of England?—Yes. Rev. *W. Brocklebank.*

1989. And you have some preferment in the Church?—Yes, I am vicar of Udimore, a living given to me by the Duke of Devonshire.

1990. Do you remember the last election?—Very well.

1991. Where were you residing about that time?—I was residing at Winchelsea.

1992. There is unfortunately no residence attached to your vicarage?—There is one, but it is dilapidated, and I let it to cottagers.

1993. Practically, there is none?—That is so.

1994. Do you remember the year 1864, the early part of the year?—I do not remember any particular incident.

1995. Do you remember Captain Mackinnon calling upon you?—Yes, and also Captain Macdonald.

1996. The interview I want to bring your memory to, is the time that Captain Mackinnon called upon you alone?—I do not remember the date.

1997. Some time in the year 1864; early in the year 1864?—The Captain knows it very well, no doubt. It was his first visit to Rye.

1998. Did he canvass you for your vote?—No, we had a private conversation. I had always voted for his father, and he knew my determination to vote for him.

1999. He had a private conversation with you?—It was a private domestic conversation.

2000. Did you know Captain Mackinnon before that?—No, I did not.

2001. It was a domestic conversation?—Family matters; about his father and his family. I had voted for his brother and his father.

2002. Did he mention then that his father was going to be made a peer?—No, he did not.

2003. Or anything of the sort?—No.

2004. If he did not mention anything about his father, perhaps you may have mentioned something about your family?—Yes.

2005. Did you mention anything to him about your son?—No, not a syllable; Captain Mackinnon had nothing whatever to do with the nomination of my son.

2006. I have not come to that yet. The conversation was domestic; did he speak to you about his father, and did you speak to him about your son?—Yes, I asked him about his father, and such like, and he asked me after my family, and I think we had some luncheon.

2007. He did not tell you during the conversation, his father's expectation of his being made a peer of the realm?—He did not.

2008. Did he say he was going to stand at the election?—I put the question to him, and he said he thought it would be so.

2009. Did he tell you what would be the reason of his father's retirement?—No, he did not, except that he was getting an old man and enfeebled, and unfit for his duties, or something of that kind.

2010. You did not speak to him at all about your youngest son?—No; he is not the youngest, but the youngest but one. I did not speak to him at all about him; I do not know that he knew that I had a son who wanted an appointment.

2011. Although you spoke about domestic matters, you did not speak about your son?—I do not know whether I told him that the Duke of Devonshire had given me a nomination for him, but he was not successful for the first examination. He passed the second, and the Postmaster General gave him the appointment.

2012. You voted for Captain Mackinnon at the election?—Yes.

2013. Your son has got an appointment since then?—Through Major Knight, of Leicester, late of the 16th Lancers, and I do not believe that Captain Mackinnon or his father knew anything about it. Other friends of mine got the appointment, and gave it to me.

2014. Do you remember any notification of that glad event, of your son being appointed, in the local press?—It was, I think.

2015. Do you remember it was stated in the local papers that it was by Captain Mackinnon he got it?—It was not so; I sent it myself to the editor, and Mr. Parsons knows it, and Mr. Parsons can tell you.

2016. You do not say it was a mistake?—No, I do not; I do not think it was in local papers that Captain Mackinnon had given me the appointment. I never saw it in any of the papers, and it was in three or four, but I do not believe that was in. I could give you the substance of the words. Captain Mackinnon had nothing whatever to do with it.

2017. By the *Committee.*] Did you ask the Duke of Devonshire for the nomination?—I asked the Duke of Devonshire, and he gave me the nomination, and before that he gave me the living which I hold.

2018. At your request?—Yes.

Rev. *W. Brocklebank.*

23 April 1866.

Mr. *Longfield* said he would not press this.

Mr. *Keane* said he must ask for costs in this case.

Mr. *Longfield* said it was rather premature to ask for costs, merely because a witness had not proved what they expected.

The *Chairman* said the Committee would receive the application, and would take time to consider about it.

Mr. *Longfield* stated that unless there was a scrutiny the Committee were destitute of the power.

ALEXANDER DUFF BUTCHERS was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:

A. D. Butchers.

2019. ARE you a labouring man?—No; I look after them doing the work.

2020. Where do you live?—At Camber, near Rye, in Winchelsea, in the county of Sussex.

2021. Are you a voter for Rye?—I am a voter for Winchelsea.

2022. Do you remember seeing Captain Mackinnon before the last election?—I do, very well.

2023. Will you tell us what he said to you; was anybody with him?—Mr. Dawes was with him the first time.

2024. The first time you saw Captain Mackinnon he had Mr. Dawes with him?—Yes.

2025. Tell us what passed?—He asked me for his vote, and I told him I could not vote for him; I said I did not know that I should vote for any one.

2026. After that you saw Captain Mackinnon again?—Yes.

2027. Do you remember about what time that was?—No, I do not recollect anything about it; it is a thing I never kept in my head, and I think it would be quite as well if we did not keep other things in our head.

2028. Who was with Captain Mackinnon the other time?—Mr. Smith, at the "George."

2029. Richard Smith?—I do not know what his Christian name is.

2030. He keeps the "George Hotel"?—Yes, the "George Hotel."

2031. What did the captain say to you then?—He asked me how I did, and there was no more passed, and he bid me good afternoon. Mr. Mackinnon did not ask me for my vote on the second time.

2032. Although Captain Mackinnon did not say anything to you, did not Mr. Smith say anything to you?—Yes, he did; he told me if I would vote for Mr. Mackinnon he would raise me some money.

2033. What answer did you make to that proposition?—I said I should do no such thing.

2034. Will you tell us what else passed?—Nothing else passed; we had nothing more to say one way or the other, and he bade me good afternoon; that is all I have to say, and that is all I know.

2035. Was anything said about the "George Hotel"?—I believe he asked me to go up there; he asked me about coming up, but I do not recollect anything more about it.

2036. You said Smith left you then, where did he go?—I do not know where he went, I had other business to attend to.

2037. Did you see where he went?—No, I did not; I saw Mr. Mackinnon going to Rye on the beach before.

2038. Did you see Mr. Smith with anybody soon afterwards?—No, I did not.

2039. Did any one else ask you to vote for Capt. Mackinnon?—No.

Cross-examined by Mr. *Keane*.

2040. At this time, when he said he would raise you money if you would vote for Capt. Mackinnon, Smith and you were together?—Yes.

2041. Capt. Mackinnon had gone?—Yes.

2042. Did he ask you how you were going to vote—Smith?—He did not ask me at all how I was going to vote, but whether I would vote for Capt. Mackinnon, and if I would vote for him he would raise me some money.

2043. Did he not ask you how you were going to vote?—That was before that.

2044. Did he do so?—Yes.

2045. Did you tell him that you were going to be neutral?—I did, I believe, but I altered my mind afterwards.

2046. Did you not say you had a sick house, and were troubled to live?—No, no such words passed; that is a lie whoever said it.

2047. We will break it up into its parts?—I never pleaded poverty, because I had other remedies to remove the poverty.

2048. Had you a sick house?—I have at the present time.

2049. Had you then?—Yes.

2050. Were you then troubled to live?—No.

2051. Did you not say so?—No. Poverty, I am happy to say, had not struck me just then, but I do not know how soon it may be the case.

2052. Did he not say this, "That if you were so troubled to live he would see if a subscription could not be raised for you?"—It is false.

2053. Did he not say so?—No, it is false. I came here to speak the truth, and I will speak the truth.

2054. Is that not all that was said between you, that if you were troubled to live he would see if a subscription could not be got up to give you a few pounds?—He never mentioned it.

2055. Did he not ask you how you were going to vote, and you said, "I have a sick house;" and he said, "If you are troubled to live I will see if a subscription can be got up for you?"—No such conversation passed when he asked me for the vote; it was after that.

2056. The conversation took place afterwards. Did such a conversation as I have repeated take place?—I never said anything about poverty, poverty was not mentioned.

2057. Did you say anything about being troubled to live?—No.

2058. Never at any time?—No.

2059. Now, I understand you to say, that he said he would raise a sum of money for you by subscription?—If I would vote for Mackinnon.

2060. He said he would raise a sum of money for you; did he say how it was to be raised?—No.

2061. You

2061. You told him you would not vote?—I told him I would not.

2062. Did you remain neutral?—No, I voted for Macdonald.

2063. Will you say why you did not remain neutral?—That is my own business, I should say is it not; I altered my mind.

2064. Did Glazier offer you a sum of money to vote for Macdonald?—No.

2065. You are quite sure of that?—Yes.

2066. Did Stileman?—No.

A. D. Butchers.

23 April 1866.

MARIA BUTCHERS was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

2067. YOU are the Wife, I believe, of Alexander Duff Butchers, the last witness?—Yes.

2068. Do you reside near Rye, at Camber?—Yes.

2069. Do you know Captain Mackinnon by sight?—Yes, by sight I do.

2070. Do you know Mr. Richard Smith?—Yes.

2071. Do you remember those two gentlemen coming to your house one day?—Yes.

2072. Your husband was not at home, I believe?—Not the first time,

2073. Do you remember their asking if your husband would vote for Captain Mackinnon?—Yes.

2074. They were together when the conversation took place?—No.

2075. Who asked you if your husband would vote for Captain Mackinnon?—I would not be sure whether it was Mr. Mackinnon. No, I cannot recollect.

2076. You cannot recollect whether Mr. Mackinnon or Mr. Smith, but one or other of the two?—Yes.

2077. Did you make any reply to that?—I told them I could not say anything to it myself.

2078. Did anything more occur then?—No; I do not recollect anything more at that time.

2079. Do you remember their coming afterwards to you?—They came to see my husband.

2080. Who are they?—Mackinnon and Smith.

2081. Mr. *Longley.*] Were you present?—No, I was not when my husband was with Mr. Mackinnon.

2082. Do you recollect Mr. Smith saying anything to you?—No.

2083. About a horse and cart, or anything of the kind?—Not to me he did not.

2084. Who did he say it to; do you recollect his saying anything to you on the subject?—

2085. Mr. *Keane.*] In your presence?—Not in my presence.

2086. Mr. *Longfield.*] Did your husband hear him say anything about it?—No, he did not.

2087. Did you hear him say anything about a 10 *l.* note?—No.

2088. Mr. Smith?—No.

2089. Anything at that conversation?—No.

2090. Did he say anything about a 10 *l.* note?

Mr. *Keane* said that the Witness had stated that she did not hear a conversation.

The *Witness:* I did not

2091. Mr. *Longfield.*] Did Captain Mackinnon say anything about a horse and cart?—Not in my presence.

2092. Did you hear him say anything?—No.

2093. Have you had any conversations lately with Mr. Davis?—No.

2094. Had you not one interview with Captain Mackinnon and Mr. Smith?—I never had anything to say to them; when they came into our house they went into a private room.

2095. Do you remember their coming to your house more than once?—They called three times, because my husband was not at home.

2096. He was at home on one occasion?—Yes.

2097. On the other two occasions did you see them?—I saw them every time they came, because I am always at home.

2098. Had you more than one conversation; they called three times; had you more than one conversation with them?—No, I had not.

The *Chairman* said this seemed to be nothing to the point.

Mr. *Longfield* said he admitted that the last witness's evidence was not much to the point.

M. Butchers.

JAMES BAKER was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

2099. WHAT are you?—I call myself a "Looker," and you may call me the Parish Clerk, if you please; I am Clerk of the parish of East Guildford.

2100. Are you an elector of Rye?—I have a vote for it.

2101. And did you give that vote at the last election?—No.

2102. Do you know your handwriting?—I think it is likely that I should.

2103. Just look at these (*handing in a letter and an envelope*); is that your handwriting?—Yes.

2104. Did you send that letter to Mr. Vidler?—Yes.

2105. Did you send similar letters to that——

Mr. *Keane* objected to the question.

2106. Mr. *Longfield.*] Do you remember Mr. Hood calling upon you about your vote?—Yes.

2107. Whom did he ask you to vote for?—For Captain Mackinnon.

2108. Did you promise to vote for him?—No.

2109. What did he say he would give you?—He did not say he would give me anything.

2110. Perhaps you asked him for something?—No, I did not.

2111. Are those your handwriting (*handing in a letter and envelope*)?—Yes.

2112. Mr. Hood called upon you?—Yes, and asked me for my vote.

2113. And you never voted at all?—No.

2114. Was that after the date of those letters?—That I do not know.

2115. He called upon you?—Yes, he has called upon me.

J. Baker.

J. Baker.

23 April 1866.

Cross-examined by Mr. *Keane.*

2116. Just look at those (*handing in letter and envelope*); are those your hand writing?—Yes.

2117. Will you look at that (*handing in letter*)?—Yes, that is mine.

2118. You complained of a little nervousness then?—I did.

2119. I hope you are better?—Yes.

2120. Did any of the Reds ask for your vote for Mr. Macdonald?—Yes.

2121. Who was it?—A person of the name of Reed, a publican at Rye, who keeps the "Lion."

2122. What did you say to him?—I said I would not vote for ne'er a one of them.

2123. And you kept your word?—Yes, I have; and Mr. Reed offered me 100*l.* if I would vote for him, and if I would I might have whatever I liked to ask for.

2124. He told you that?—Yes, and he said, "More than that, I will give you a dozen of wine out of my own pocket."

2125. He does not keep wine in his pocket?—I expected he would pay for it.

2126. Who is Mr. Reed?—He is a landlord at Rye; he came and wanted me to go up.

2127. Was he on Mr. Macdonald's committee?—I do not know whether he was on the committee; but I said I would not; I said, "Who are you? You are an entire stranger to me," I says; "who sent you to me"? He says, "Who sent me? Dr. Davis, Jim Vidler, and little Tyrell, and another gentleman." There were four sent him.

Mr. *Keane* said, in this case he must also ask for costs, although he would not ask the Committee to decide it at present.

The *Chairman* said, the Committee would make a note of it.

Mr. *Keane* said, he put the letters in, and merely asked whether they were his handwriting.

The *Chairman* said, the Witness seemed to have written a similar letter to both sides.

The *Witness.*] I have as near as I could.

The *Chairman.*] One letter is: "East Guldeford, July 21st 1865. Sir and gentlemen,—I am verry unplesent sitawated at home, because I did not take Read's 100 pounds when he come and bage and Praid for me to take it. I told him I would not take 200 pound if he was to offer it to me—my famley says now you have displese your masters, and lost the the 100 pound and prehaps your liveing, and ran the heasard wether you get aneything I say I am not the Least afraid but what I shall get something hamson—I know I am in want of littel money if I should come up to Office to morrow about three oclock, or aney were els Could I see you answer much oblige I should Come myelf this afternoon only I am Verry porley and nerves. Your turuley obedent *James Baker.*"

2128. By the *Committee.*] You did not get anything handsome?—No, I never got a farthing, nor not a promise.

Fanny Smith was called in; and, having been sworn, was Examined by Mr. *O'Malley*, as follows:

F. Smith.

2129. You are a niece of Richard Smith?—Yes.

2130. And he keeps the "George"?—Yes.

2131. Was that a Blue house at the time of the election?—Yes.

2132. Did Mr. Mackinnon live there?—He was staying there a short time.

2133. How long did he stay there?—I do not know.

2134. About how long?—It might be two months.

2135. Before the election, and up to the time of the election?—Yes.

2136. It might be three months?—It might be; I cannot say.

2137. What rooms had he?—A sitting-room and a bedroom.

2138. What floor was the sitting-room upon?—The sitting-room was on the second floor.

2139. And the bedroom?—The third floor.

2140. Now, at the time of the election, and shortly before the election, was there any other room used?—Not that I know of.

2141. Mr. Mackinnon tells us his committee was there?—I do not know.

Mr. *O'Malley* said he would put in the letter, stating it is so.

The *Chairman.*] The letter is: "George Hotel, Rye, April 20th 1865. Sir,—I beg to acknowledge receipt of your favour of to-day. In reply I have the honour to inform you that I have placed your letter in the hands of the election committee now sitting at this house. Faithfully yours,

"*L. B. Mackinnon.*"

2142. Mr. *O'Malley.*] Now, I ask, what other room was occupied at the time besides those?—Not any that I know of. It is my place to attend to the bar; I have nothing to do with other rooms.

2143. But you used to go up stairs?—I used to wait upon the Captain in his sitting-room at his meals; nothing else.

2144. That is all you waited upon?—Yes.

2145. No one else was allowed to go there beside you?—Yes, the housemaid occasionally.

2146. What was her name?—Hannah was her name.

2147. Was she allowed to go into that room?—She carried his meals in occasionally.

2148. At the election time?—At the time he was staying there; if I was out she waited upon him.

2149. That was upon the second floor?—Yes.

2150. Has your father been in that room?—I have no father.

2151. Your uncle, then?—Yes.

2152. Frequently?—About the same as any other rooms. He used to go there to see if the rooms were tidy, and the breakfast properly set out.

2153. Has not he been with Mr. Mackinnon?—I cannot say.

2154. Have you not, upon your oath, seen him there

there with Mr. Mackinnon?—I have seen him there the same as any other room.

2155. You have seen him and Mr. Robert Hood there together?—No.

2156. On your oath?—Not that I recollect.

2157. You do recollect?—

2158. By the *Committee.*] Have you seen him and Mr. Robert Hood together in the room?—No.

2159. Mr. *O'Malley.*] Have you seen Mr. Hood in the room?—I do not recollect that I have.

2160. Have you not yourself shown him into that room?—I do not recollect that I have.

2161. You will not swear that you have not; did you see him in the house at all during the election?—Mr. Robert Hood was frequently there.

2162. And went up stairs?—He might do; I did not see him go up stairs.

2163. He called on Captain Mackinnon?—I cannot say.

2164. It was your business, as you waited upon him there, to show him up?—Mr. Hood knew the Captain's room, and did not require me.

2165. You have seen him going up stairs?—Not that I recollect.

2166. Do you swear you have not seen him going up stairs to the Captain's room?—I do not remember his going up stairs.

2167. That you swear?—I swear I do not recollect.

2168. Where have you seen him when he has been in the hotel?—Frequently in the bar; sometimes in the smoking room, smoking his pipe.

2169. Do you know that he could go up to that room without being shown up by you?—He knows the house well.

2170. Was he in the habit of going up to the second floor before the election time?—I do not know.

2171. Were there any meetings held there?—There are meetings, gas meetings.

2172. But not the gas; were meetings of the Blue party held there?—I do not know.

2173. You recollect the gas meetings; when were they held?—They are monthly meetings; nothing to do with the election.

2174. You know nothing about the Blue meetings?—No.

2175. Young woman, recollect that you are sworn upon this; and do you mean that you never knew of a meeting being held by the Blue party during the election time?—I have nothing to do with the meetings held up stairs.

2176. Do you mean to swear before those gentlemen, that you do not recollect any meetings being held there?—There were meetings there very often; but I did not know what they were about.

2177. Do not you know they were meetings at which Mr. Mackinnon was?—No, I do not.

2178. Were there meetings in the next room?—No.

2179. No one went into his room but himself?—Not that I am aware of.

2180. You know of no one going up into his room but himself?—It was his own private room.

2181. I am not talking about his private room?—He had no other except his private sitting-room and bedroom.

2182. Then you need not add the qualification of its being his own private room; I ask you, do you mean to swear that no persons went into his room but himself whilst he was there?—I cannot swear there was no one went. There might be some one went in.

2183. To your knowledge?—I never waited on anybody else.

2184. But you have been in and out of the room frequently?—Only at meal times. I have never been in the room with anyone else there.

2185. Have you seen anyone else there?—I think I have seen Mr. William Dawes there, once or twice there.

2186. Anyone else?—Mr. Butler, I think.

2187. You have told us you have seen your father?—No, I have not said so; I have no father.

2188. Your uncle?—Yes.

2189. Who else have you seen there?—Mr. Dawes and Mr. Butler.

2190. Those are the only three?—Yes, I think so.

2191. Were they dining with him, Mr. Dawes and Mr. Butler?—No.

2192. Then you did see other people there at other times than meal times?—Only Mr. Dawes and Mr. Butler.

2193. Now will you swear you have not seen anyone else?—(*The Witness hesitated.*)

2194. Will you swear?—What am I to answer?

2195. Have you seen Mr. George Jenner there?—I cannot say that I have.

2196. She pledges herself, herself, that she has never seen Mr. Robert Hood up stairs at all; did you not see Mr. Hood up stairs?—He might be up stairs, but I have not seen him in Mr. Mackinnon's room.

2197. Have you seen him go up stairs?—Yes, but not in Mr. Mackinnon's room.

2198. Where have you seen him yourself?—In the market-room.

2199. Is that upstairs?—Yes.

2200. What floor?—The same floor as the Captain's room.

2201. What have you seen him doing there?—I have seen him on market-days talking to people.

2202. Any other but on market-days?—Not that I recollect; I have seen him up stairs, but I cannot say whether market-days or not.

2203. Have you seen him on other days except market-days?—I cannot say.

2204. Do you remember a meeting in that room, the market-room?—Only the market meetings.

2205. Do you recollect a Blue meeting?—No.

2206. Did not yourself go up and down to that Blue meeting to serve things in the room?—No, I did not.

2207. That you swear?—Yes, I swear to it.

2208. Did you send things up to that meeting?—The waiters come to me for things, and I do not know where they go to.

2209. You inquire where they are for?—No; they come and pay me, and I never look where they take them.

2210. Did they always pay you?—Yes.

2211. Nothing booked?—No.

2212. Do you mean to swear there is nothing booked?—Nothing for any meetings.

2213. I am not asking for any meetings; is there nothing that the waiters got that is booked?—No; what is had for meals, wine, and ale, I book.

2214. You inquire who it is for?—Yes.

2215. Had

F. Smith.

23 April 1866.

2215. Had you not booked for meetings what persons spent, whether they are for meetings or not; persons spending the evening there?—

Mr. *West* said, if they intended to go into that, the books must be produced.

Mr. *O'Malley* produced them.

The *Witness*: My uncle has the books.

The books were produced.

2216. Look at those books?—

2217. Mr. *West.*] Do you keep those books?—This is in my handwriting.

2218. Mr. *O'Malley.*] Do you make entries in those books?—Yes.

2219. Turn to the month of June 1865?—Here it is.

2220. Whose handwriting is that?—Mine.

2221. Those were the books you kept at the time?—Yes.

2222. Let me look at them; was this the only book that you kept?—Yes.

2223. What was that book (*referring to a book*)?—One that Mr. Smith kept himself.

2224. Not in your handwriting?—No.

2225. Entries of things supplied?—I have nothing to do with that book.

2226. You know nothing about it?—No.

2227. He did keep a book of his own?—Yes; this is one.

2228. Did you make out the bills?—Out of that book I made out the bills, and no other.

2229. From this book (*referring*)?—Yes.

2230. With respect to this book; is there any account of meetings, or anything of the kind, or merely private persons staying at the hotel?—That is all the book I have kept, or had anything to do with.

2231. Then, while Captain Mackinnon stayed with you, apparently he had neither breakfasts, dinners, nor apartments charged?—Yes.

Mr. *West* said, he could read that himself in the book at the distance it was from him.

2232. Mr. *O'Malley.*] Here is "Apartments," but nothing carried out?—Mr. Smith made out the bills; I did not make the charge.

Mr. *O'Malley* said, there was a book in which it appeared that neither dinners, breakfasts, apartments, nor anything, was charged.

The *Chairman* said, certain things were charged, and certain things not, and perhaps the witness would explain.

Witness: I enter what he has, and leave the prices for Mr. Smith to put in. He makes the bill up, because I do not know what he charges for apartments, and therefore I leave that in blank.

2233. When you had put down "Breakfast," you mean that he had breakfast?—Yes.

2234. Mr. *O'Malley.*] Was that the usual custom, or only for Captain Mackinnon?—It is usual with private parties; commercial people I always enter the prices.

2235. Will you show me any other gentleman's account entered in that way in that book?—When I make out their bills, I ask Mr. Smith, and sometimes I enter it; but perhaps there may be others like that.

2236. Now, you say, with private individuals that is so; now, I ask you to show me any other private account that is so charged?—(*The Witness pointed one out to the learned Counsel.*)

2237. I see no tick here?—It is not ticked, but it is charged.

2238. This is "Sitting-room," neither name nor party?—It is "Sitting-room."

2239. I ask you to show me an account of some private party?—That is a private party.

2240. Who is the party?—I do not know.

2241. How is Mr. Smith to know?—We do not know everyone in the hotel.

2242. "Brandy," "apartments," "lemonade," and so on; but there is no name mentioned?—I do not know the private parties' names generally.

2243. Will you show me another place where you have a private party; I find private party always continued?—

Mr. *West* said, he objected to Mr. O'Malley's stating what he found in the book.

2244. Mr. *O'Malley.*] Now, can you show me any private individual's name whose account is entered in that way, as Mr. Mackinnon's?—That one (*referring*) is entered in the same way.

2245. That is entered "Sitting-room," not a private individual?—"Sitting-rooms" are private parties.

2246. A private individual is what I ask you as to?—They were private people staying there.

2247. I see no name?—I do not know their names.

2248. You entered them to a person whose name you did not know?—Yes.

2249. I see also there, "Sandwiches," not apartments for one, nor tea for one; then this is the only book that is kept?—It is the only day-book that is kept.

2250. The only one kept by you?—The only one I have to do with.

2251. What book would Captain Mackinnon's account be kept in?—That one.

2252. I cannot find it?—In that book I have entered all his meals.

2253. Is that the only account book kept for Captain Mackinnon?—The only one I know anything about.

2254. What is that book (*referring*)?—I do not know; I have nothing to do with it.

2255. What is it?—I have seen it in the office; I have never looked at it.

2256. You do not know what it is, even?—No.

2257. Do you mean you have never looked into this book?—No.

2258. Do you not give to Mr. Smith the receipts of the week?—Every night.

2259. And he puts them in his book?—I have seen him write.

2260. You have seen him go and put it down, Monday, Tuesday, and Wednesday, here?—I have seen him write; I cannot say whether it is in that book or not.

2261. You mean you cannot say whether you have seen him write in this book?—Yes.

2262. You have seen him write in a book?—Yes.

2263. The amounts, every day, what he receives?—I do not know what he writes; I give the receipts in the evening, and I suppose he keeps an account of it; I do not know.

2264. Does this contain only the receipts by you?—I know nothing about that.

2265. This book you have seen him write in?—I have seen him write in a book.

2266. The book you have seen him writing in there

there was the returns of the week's accounts. Did he write that in it?—I cannot say.

2267. Then I understand you to say that there were no meetings of the Blue party?—Not to my knowledge. I had nothing to do with meetings.

2268. There was no committee-room, to your knowledge?—No.

2269. Nor no gentlemen who met for the purpose of the election there?—I had nothing to do with the meetings in any way.

2270. As far as you know there was nothing of the kind?—There were frequently meetings, but I did not know what they were about.

2271. There were in the month of June and July, frequently, meetings?—So there are at other times.

2272. But in the months of June and July, there were frequently meetings?—Yes.

2273. Were there frequently meetings while Captain Mackinnon was in the house?—There were always meetings.

2274. When he was there?—And some at other times.

2275. Not more in the months of June and July, than at other times?—Not that I am aware of.

2276. That you are swearing to?—Yes.

2277. You never saw persons going in and out?—Oh, yes; people were going in and out all day

2278. Supposing there had been meetings, would the receipts of what was consumed be put down in that book?—No; I do not enter anything that is paid for at the time.

2279. That is not entered?—No.

2280. The market meetings, for instance; do you enter the market meetings?—It is all paid for at the time.

2281. Do you make entries with regard to the market meetings?—No.

2282. Wednesday is the market day?—Yes.

2283. That is the day of the meeting?—Yes.

2284. Do you know a man named Goldsworth?—No.

2285. No such person of that name?—No;

Mr. *O'Malley.*] We will put this book in (*handing in a book*).

Cross-examined by Mr. *West.*

2286. Mr. Hoad is frequently at the inn?—Yes.

2287. And I think I understood you to say that Mr. Hoad was there on one or two occasions?—Yes.

2288. You saw him in the room on one or two occasions?—Yes.

2289. Mr. Butler, you recollect seeing once; you can recollect him?—Yes.

The *Chairman* said the Committee were of opinion that the evidence amounted to absolutely nothing.

Mr. *West* said he was of the same opinion, and would not cross-examine the Witness.

JEREMIAH CURTIS was called in; and, having been sworn, was Examined by Mr. *Longfield,* as follows:

2290. Do you remember the last election for the borough of Rye?—Yes.

2291. Where were you living then?—At the "George Hotel."

2292. What are you?—Boots at the "George."

2293. Were you living as boots at the "George Hotel," at that time?—Yes.

2294. Was Mr. Mackinnon stopping there?—I saw him there.

2295. Was he not stopping at the hotel then?—Yes.

2296. What rooms did he occupy?—One bedroom and sitting-room.

2297. Was there another sitting-room on the same floor?—Yes.

2298. Was that room occasionally used by him and other friends?—I never saw any one there.

2299. Do you remember different parties coming to see Mr. Mackinnon while he was staying there?—I never saw any.

2300. Do you remember a man named James Collins being there?—No.

2301. Nor James Hoad?—I have seen him in and out of the house.

2302. He frequently came to the house to see Captain Mackinnon?—No, not that I am aware of; he uses the house every day.

2303. Do you know a man of the name of Robert Hoad?—Yes.

2304. Was he frequently there?—Yes.

2305. Did you see John Avery there?—Yes.

2306. Do you know Mr. Banks?—Yes.

2307. Mr. Fryman?—Yes.

2308. And Mr. Judge?—Yes.

2309. Were they frequently there while Captain Mackinnon was staying there?—Yes, before and after, too.

2310. They were frequently there, then?—Yes.

2311. Did you see Captain Mackinnon talking with them?—No.

2312. Do you remember any meeting that took place there whilst Mr. George Jenner was there?—No.

2313. You do not remember that?—No.

2314. Or a large number of gentlemen coming in the evening?—No.

2315. Nor to the room above stairs next to Captain Mackinnon's sitting-room?—No.

2316. You do not remember a meeting taking place there in the evening?—No.

2317. You never went upstairs during the evening, and saw any?—No.

2318. He had no committee-room there?—No.

2319. There were no friends calling upon Captain Mackinnon?—No.

2320. He had no friends, but lived like a hermit there?—He used to get into the street, into the front.

2321. Whom did he go out with?—He went by himself.

2322. And came home by himself always?—Yes.

2323. He never had tea, dinner, breakfast, or supper, but always dined out?—He dined by himself.

2324. No gentlemen came to meet him at all?—No.

2325. He never asked a person to dine with him whilst he was there?—No, not that I know of.

Cross-examined by Mr. *Keane.*

2326. It is not your business as boots to ascertain all these things?—No.

FRANCES GLAIZIER was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:

F. Glaizier.

23 April 1866.

2327. YOU were servant to Mr. James Hoad at the last election for Rye?—Yes.

2328. You have been married since the election?—Yes.

2329. You remember the day of the election at Rye?—Yes.

2330. Will you tell us what passed at your master's house?—I can say nothing. I do not know anything that happened.

2331. Did anybody do anything?—No.

2332. Did anybody eat their breakfast there?—I think there were a few there.

2333. I suppose you knew there were a few there, as you were a servant there?—Yes.

2334. They breakfasted at Mr. Hoad's house; in his dining-room, was it?—Yes.

2335. Have you any idea how many there were there; you say there were a few?—No, I cannot say.

2336. Can you tell us the names of any who were there?—No.

2337. Cannot you remember one?—No.

2338. I suppose Mr. Hoad was there himself?—Yes.

2339. Mr. Robert Hoad, was he there?—I do not remember.

2340. Mr. Goddard?—I do not remember.

2341. Mr. Huggins?—I do not know.

2342. I suppose you were in the room most of the time, waiting?—No, I was not there.

2343. You got the breakfast ready?—I assisted.

2344. Do you know how many you got the breakfast ready for?—No.

2345. Was it 100?—I cannot tell.

2346. Was it more or less than 100?—Less.

2347. About 90?—I cannot tell you at all.

2348. Can you come within 10 or 20 of the number?—No, I cannot.

2349. Do you think there were a great many?—I cannot say.

2350. Will you try to remember?—I cannot.

2351. Were they all strangers?—I do not know; I cannot say who there were.

2352. I suppose you saw Captain Mackinnon at Mr. Hoad's house occasionally?—I do not remember whether I did or not.

2353. You saw him once, perhaps, if you did not see him more frequently?—I do not know.

2354. Did you see him after the election?—I do not know.

2355. I suppose you know Captain Mackinnon when you see him?—Yes.

ALFRED GODDARD was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

A. Goddard.

2356. HAVE you a brother named William Goddard?—I have.

2357. Do you remember the last election for the borough of Rye?—I do.

2358. What are you?—An ornamental painter, at Hastings.

2359. What is your brother's name?—William Henry.

2360. Where is he now?—In America.

2361. Are you a voter?—No.

2362. Where did you reside during the time of the last election?—At Hastings.

2363. Where did William Goddard reside?—He had just left Rye, at the last election, and lived at Winchelsea.

2364. Was he an elector of the borough of Rye at that time?—He was.

2365. What circumstances was he in before the election?—He had been a bankrupt shortly before; some few months before.

2366. And was rather in distressad circumstances?—Yes.

2367. Did you see your brother after the election?—Yes.

2368. Were you made acquainted by him of anything connected with the breakfast that took place at Mr. Hoad's?

Mr. *Keane* objected to what his brother might have said.

2369. Mr. *Longfield.*] Do you know, from any circumstances, of your brother having got 20*l.* for his vote at that breakfast?

Mr. *West* objected to the question, and the Witness was requested to withdraw.

Mr. *Longfield* contended that he had a right to put the question.

The Witness was called in, and the following question was read to him: Did you know, from any circumstances, of your brother having got 20*l.* for his vote at that breakfast?—I do not know.

2370. Did you know of his having received 20*l.* for his vote at that breakfast?—I did not.

2371. Or of his having received any sum of money?—I do not.

2372. Nothing of your brother having received any money for his vote at that election, at Hoad's?—No.

2373. Nor at any other place?—No.

2374. Do you know nothing of the breakfast at Hoad's?—I think there was a breakfast at Hoad's.

2375. Mr. *West.*] Were you there?—No.

2376. Mr *Longley.*] Did you hear of your brother having received 20*l.*?—No.

The *Chairman* thought that was going too far.

2377. Mr. *Longley.*] Were you a voter for the borough at the time?—No.

2378. Whom did your brother vote for?—Mr. Mackinnon.

2379. Has he since gone to America?—Yes.

2380. Had he a family?—Yes.

2381. Did he take his family with him?—Yes.

2382. When did he go to America?—In August last.

Cross-examined by Mr. *West.*

2383. Has your brother always voted for Mr. Mackinnon?—I do not think he has voted before; I do not recollect that he has.

2384. You

2384. You yourself have voted before, have you not?—Yes.

2385. For Mr. Mackinnon?—For Mr. Mackinnon's father.

2386. And your father before voted for Mr. Mackinnon, senr.?—I think he did; I did myself, and I think my father did. *A. Goddard.* 23 April 1866.

Mr. *West* said he made the usual application in this case for costs.

GEORGE ASHDOWN was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:

2387. I BELIEVE you live at Rye, and are the landlord of the "King's Head" Inn?—Yes. *G. Ashdown.*

2388. Are you a voter?—Yes.

2389. Whom did you vote for at the last election?—Mr. Macdonald.

2390. Before the last election, were there any meetings of the voters at your house?—What voters?

2391. Voters for the borough of Rye?—There was a meeting; but I do not know whether it was respecting any vote or not.

2392. Was there any meeting at which anything was eaten or drunk?—There was.

2393. At your house?—Yes.

2394. About what time was that?—I do not remember; it was some time in the month of April, I believe.

2395. Can you tell us who were there?—I cannot tell; I cannot tell half the people who were there.

2396. Cannot you tell us the name of anybody who was there?—Yes, I can.

2397. Tell us who was there?—Mr. Lennard was there, and Mr. Payne; I do not recollect anyone else.

2398. Mr. Samuel Lennard?—Yes.

2399. Do you remember anyone else?—Mr. Payne.

2400. Anyone else?—No.

2401. Tell us two or three other names?—I do not know that I can; I was only there as a waiter; I was in and out.

2402. They had plenty to eat, I suppose?—They had what they wanted.

2403. Did they pay for it?—I had the money for it.

2404. From whom did you have the money for it?—I do not know.

2405. You had the money for it?—Yes.

2406. Whom did you get it from?—I do not know.

2407. How did you get the money?—I had it in an envelope.

2408. When did you get this money?—I cannot say.

2409. About the time?—Well, about a week afterwards; but I cannot tell you the day of the month that they had the meeting.

2410. Was there anything written in the envelope?—Not a word.

2411. Was it in notes, gold, silver, or copper?—Neither; neither notes, gold, or silver; but it was sent in a note.

2412. What was the amount of the note; how much?—I know what it was.

2413. *Chairman.*] But the Committee wish to know?—Am I obliged to say?

2414. Yes?—It was a 5 *l.* note.

2415. Mr. *Longley.*] In a blank envelope?—Yes.

2416. You have no idea who sent you that?—I have not, any more than you have.

2417. You knew what it came for?—I did.

2418. How did you know?—Because I had a party, and there is no one kind enough to send me a 5 *l.* note unless I served goods upon them.

2419. By the *Committee.*] You do not think that people will give you nothing for nothing?—That is it.

2420. Mr. *Longley.*] To go back a little; before the people came to this treat, as you call it, had you made any preparations; did you know that the people were coming?—I knew that some were coming, but I did not know how many,

2421. Who told you that they were coming?—Nobody told me.

2422. Somebody told you?—My wife told me; I was not at home.

2423. Is not your wife somebody?—She is somebody sometimes.

2424. You knew they were coming?—I expected they were; I was not certain until they did come; of course we are never certain of anything until it comes forward.

2425. In consequence of something your wife told you, you prepared a treat?—I did.

2426. Now, these people who came to your house, were they of your way of thinking?—I cannot tell.

2427. Who took the chair?—I cannot tell you; I was only out and in as a waiter occasionally.

2428. Will you tell us some more names than those you have given?—I cannot.

2429. Was Mr. Medhurst there?—I cannot tell you whether he was or not.

2430. Was Mr. Smith there; Richard Smith, of the "George"?—I believe not.

2431. Was Hoad there?—I believe not.

2432. Have you any idea the 10 *l.* came from Macdonald?—Did you send the other 5 *l.*, then? I said 5 *l.*

2433. The 5 *l.* note came from Macdonald?—I cannot tell who it came from; perhaps it came from you; I cannot tell; I do not know who it came from, nor I do not care.

Cross-examined by Mr. *West.*

2434. The only voter at this treat, that you recollect, was Samuel Lennard?—I do not know whether he was the only voter.

2435. You named Lennard; was that Samuel Lennard?—Yes, that was Samuel Lennard.

Mr. *West* said he made the same application again about costs.

Mr. Stephen Gilbert Fryman was called in; and, having been sworn, was Examined by Mr. *Longley*, as follows:

Mr. *S. G. Fryman.*

23 April 1866.

2436. I believe you live at Rye, and keep a liquor shop there?—Yes.

2437. Are you a voter for the borough?—Yes, and the county too.

2438. Do you remember the sale of the ship called the "Pelican"?—Too well; and if that is the point, I may say I am connected with nobody with regard to that matter.

2439. I am going to ask you about James Bourne; do you know a voter of the name of James Bourne?—Perfectly well.

Mr. *West* said that Bourne's case was closed the other day, and they could not re-open it.

Mr. *Longley* said he was now on the question of treating.

2440. You know James Bourne?—Yes.

2441. Was he in your shop within two or three months of the election?—A great many times.

2442. He is often in your shop?—He was, then. I have not seen him there for some time past.

2443. He did not come there without getting something?—I think not.

2444. What was it he got?—About two pennyworth of gin; I gave him that to get rid of him, as a nuisance.

2445. I suppose sometimes he paid for what he got?—I do not remember that he did; I was too pleased to get rid of him.

2446. He was frequently in your house?—There was a time when he was frequently there.

2447. He must have got a deal of gin?—I think about 2 *s.* worth altogether.

2448. Did he have anything else?—Perhaps a little gin or brandy, amounting, perhaps, altogether to 2 *s.*

2449. Did you give anybody else any gin and brandy?—I do not remember; if anybody comes to me I treat them if they cannot afford to treat themselves.

2450. I think I asked you if you were a voter?—Yes.

2451. Whom did you vote for; Captain Mackinnon?—Yes.

2452. Can you give us any idea how many people you treated with gin and brandy at this time?—I cannot recollect anybody else, but if they cannot afford to treat themselves, I am too pleased to treat them, and I treated Bourne because he was a nuisance; that was the reason; it was to get rid of him.

2453. As you have mentioned that, I need not ask whether you got paid for it by anybody else?—No; what, 2 *s.*; oh, no.

2454. Did you ever get paid for it?—I hope I never shall; I tell you I treat people when they cannot afford to treat themselves, and do not ask me if I expect to be paid for that.

2455. I do ask you?—Then I do not.

2456. I think you told us that you voted for Captain Mackinnon?—I did.

2457. You were on his committee?—I never heard that he had a committee.

2458. You are sure of that?—I think, perhaps, one day somebody did say there was one, but I never saw it.

2459. You think there might be a committee?—I do not believe there was.

2460. Could there be a committee of Captain Mackinnon without you knowing it?—If there was a committee formed it would be without the sanction or the names of any one.

2461. You think there was a committee?—If there had been a committee I think I should have been one; I heard there was such a thing, but I did not believe it.

2462. Who told you there was a committee?—I cannot tell.

2463. You heard so?—I heard so here, since I have been in the House of Commons.

2464. Did you ever canvass any voters for Captain Mackinnon?—I believe I have.

2465. Did you go about with Captain Mackinnon to canvass?—I do not think I did; I do not remember; all I can tell you is that I have done for the support of Captain Mackinnon all that I could legally.

2466. I suppose it is likely that you went about with Captain Mackinnon in a legal way?—I do not think I did.

2467. Never met him in the street?—Yes, but never canvassed with him.

2468. Do you happen to know where Captain Mackinnon was staying about the time of the Election?—Yes, at the "George Inn."

2469. You saw him there sometimes?—Yes.

2470. You went and saw him?—I cannot say I did not; but I do not remember.

2471. You think it is probable you did?—No doubt I did; if he wanted me I should go.

2472. Do you remember seeing him up there?—Upstairs, and downstairs, too, I think.

2473. Did you see him in any more than one room upstairs?—Yes, I think I did. The rooms are all so connected, that if I walked out of one I must go into another.

2474. Were you alone in this room?—I do not think I was ever in his company alone in my life.

2475. Then there must have been other people there?—Of course there must.

2476. As it seems to be there were other people there, will you tell me who they were; you can remember the name of one?—I daresay I can.

2477. I suppose they were not enemies of Captain Mackinnon?—We have no enemies of Captain Mackinnon in Rye; he is too good a fellow.

2478. Tell us who they were?—Mr. Edward Hicks; I think I have seen him there.

2479. Have you seen any of the Mr. Hoads there?—Yes, frequently.

2480. Mr. Smith?—Mr. Smith never paid us any attention; I always complained of him.

2481. Did you see the Hoads there?—Yes.

2482. Did you see Mr. Avery?—Yes.

2483. Mr. James and Mr. Robert Hoad I mean when I say the Hoads?—Yes.

2484. I think you said you saw Mr. Avery there?—I cannot swear to it, but I think he would be there.

2485. What was the object of this meeting?—I should say, for the purpose of returning Captain Mackinnon as a Member for Rye; that is my notion of it.

Mr. *S. G. Fryman.*

23 April 1866.

2486. I suppose there were a great many people going backwards and forwards into the room for the purpose of returning Captain Mackinnon for Rye?—I do not know what you mean.

2487. I ask whether there were a great many people going backwards and forwards to this room, which you say was not a committee-room?—I think it is not; I do not understand your question, and I cannot answer it.

2488. I understood you to say there was a room where Captain Mackinnon was to be seen frequently; were there people passing into and out of that room?—Certainly not; the Messrs. Hoad and others that met for the purpose of returning Captain Mackinnon, and you cannot make any more of it.

2489. I suppose you generally met with the same people?—I really do not know; say yes, if you like; it is so ridiculous.

2490. Were they or not the same people?—I do not think I ever met them twice. It is not my plan to meet in this way.

2491. Were you there only once?—I daresay I was; I never dined with them but once, or eat anything; once, if you please.

Mr. *Keane* said he asked no questions, but he asked for costs in that case also.

[Adjourned till To-morrow, at 11 o'clock.

Tuesday, 24th April 1866.

THOMAS WILLIAM EVANS, Esq., in the Chair.

The Names of the Members were called over—All present.

24 April 1866.

Mr. *O'Malley* said he considered it useless to call any more of the hostile witnesses, and therefore closed the case for the Petitioners.

Mr. *West* said his learned friend must point out the evidence of agency.

Mr. *O'Malley* was not going to argue his case then.

Mr. *West* thought the Committee would insist upon their attention, as well as his, being called to the evidence, to show agency on the part either of Smith, Avery, or Hoad, or any of them.

Mr. *O'Malley* said that in a court of law, when the plaintiff closed his case, the defendant must say whether he was going to call witnesses or not, and it was not his (Mr. O'Malley's) business to point out the different parts of his case then.

Mr. *West* contended that as to any agency, except as against Dawes and Butler, he had a right to ask for a nonsuit.

Mr. *O'Malley* had never heard of such an application as that, and he did not intend to divide his case into parts.

The Committee-room was cleared.

After a short time the Counsel and parties were called in, and

The *Chairman* stated that the Committee had unanimously desired him to state to Mr. West that, although he would use his own discretion entirely, they did not think it necessary to call any evidence, and they were perfectly ready to hear the summing up for the Petitioners.

Mr. *O'Malley* said that if his learned friend was going to speak, he must speak first, as he had put in evidence before the Committee.

Mr. *Keane* thought, in absolute strictness, perhaps that might be so, but after the intimation of the Committee, he did not think he ought to trouble them.

Mr. *O'Malley* was then heard to sum up the case for the Petitioners.

The Committee-room was cleared.

After some time the Counsel and parties were called in, and informed by the Chairman that the Committee had agreed to the following Resolutions:—

"That Lauchlan Bellingham Mackinnon, Esq., is duly elected a Baron to serve in this present Parliament, for the town and port of Rye.

"That James Bourne was bribed by the payment of 5 *l.* and 1 *l.*, from Robert Hoad for his vote.

"That two letters, containing 5 *l.* each, were sent about the time of the election to Samuel Jenner for the purpose of influencing his vote. That it was not proved that such bribery was committed with the knowledge and consent of the sitting Member or his agents.

"That the attempt to prove that the Rev. William Brocklebank was bribed by a promise of an appointment for his son by Mr. Mackinnon, was entirely unsupported by the evidence, and frivolous and vexatious.

"That the attempt to prove that George Jenner was bribed by a promise of an appointment for his nephew by Mr. Mackinnon, was entirely unsupported by the evidence, and frivolous and vexatious.

"That there is not reason to believe that corrupt practices have extensively prevailed at the last election for the town and port of Rye."

RYE ELECTION.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

RYE ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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I N D E X.

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TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

RYE ELECTION PETITION.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
26 *April* 1866.

211—I.

Under 2 *oz.*

MINUTES OF EVIDENCE,

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

TOTNES ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
23 *March* 1866.

Friday, 16*th March* 1866.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Totnes:—

Sir Michael Beach (Gloucester E.)	George Cubitt, Esq.
William Henry Ford Cogan, Esq.	Charles Morgan Norwood, Esq.

The Right Hon. EDWARD P. BOUVERIE, Chairman.

Monday, 19*th March* 1866.

Ordered, THAT the Petition relative to the said Election be referred to the Committee.

Ordered, That the Committee do meet To-morrow, in one of the Committee-rooms of the House, at One of the clock.

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REPORT.

TOTNES ELECTION COMMITTEE.

Thursday, 22d March 1866.

The House informed, that the Committee had determined,—

That John Pender, Esq., is not duly elected a Burgess to serve in this present Parliament for the Borough of Totnes.

That Alfred Seymour, Esq., is duly elected a Burgess to serve in this present Parliament for the Borough of Totnes.

That the last Election for the said Borough, so far as regards the Return of John Pender, Esq., is a void Election.

The House further informed, that the Committee had agreed to the following Resolutions:—

1. That John Pender, Esq., was guilty of bribery at the last Election:

2. That it was proved to the Committee that an offer of a place of employment was made by the said John Pender, Esq., to Robert Harris:

3. That it has been distinctly stated by some witnesses, and the general tenor of the evidence given leads the Committee to believe, that a system of gross corruption prevailed at the last Election for the Borough of Totnes, and also on former similar occasions:

4. That there is reason to believe that corrupt practices have extensively prevailed in the said Borough.

PROCEEDINGS OF THE COMMITTEE.

Tuesday, 20th March 1866.

NAMES of the Members called over;—all present.

Room cleared.

The Committee agreed to the following Preliminary Resolutions:—

1. That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. That if costs be demanded by either party under 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. That the Committee expect, that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Members or their agents, the Counsel for the Petitioners will now state the names of the Electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered to do so.

4. The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

5. That with respect to treating, the Committee will expect Counsel to state the times, and places, where such treating is alleged to have taken place.

6. That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. That no person shall be examined as a witness who shall have been in the room during any of the proceedings (with the exception of the agents whose names shall be handed in), without the special leave of the Committee.

9. That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. That if the leading Counsel are not prepared to sum up the case on either side, when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent.

Parties called in, and informed of the Resolutions.

The Petition of *John Earle Lloyd* and *Edmund Tucker*, against the return, was read.

Counsel for the Petitioners:—Mr. *Robert Longfield*, Q. C., Mr. *W. H. Cooke*, Q. C., and Mr. *Harry Nugent Banks*.

Agents:—Messrs. *Smith and Guscote*, Messrs. *Baxter, Rose, Norton, & Co.*, and Mr. *T. H. Edmunds*.

Counsel for the Sitting Members:—Mr. Serjeant *Ballantine* (for Mr. Pender), and Mr. *Henry James* (for Mr. A. Seymour).

Agents:—Messrs. *Travers, Smith, and De Gex*, Mr. *Robert Tucker*, and Mr. *Jeffery Michelmore*.

Mr. *Longfield* abandoned the case of undue influence, and opened a case of bribery and treating.

The Short-hand writer was sworn by the Chairman.

Mr. *James Richard Naylor*, sworn; and produced two poll books.

Mr. *William Daniel Narromare*, sworn; examined by Mr. *Longfield*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Longfield*.

Mr. *Theodore Bryett*, sworn; examined by Mr. *Banks*; cross-examined by Serjeant *Ballantine*.

Mr.

Mr. *John Godfrey*, sworn; examined by Mr. *Longfield*; cross-examined by Serjeant *Ballantine*.

Mr. *William Henry Phillips Bovey*, sworn; examined by Mr. *Banks*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Banks*.

Mr. *Henry Jardine Presswell*, sworn; examined by Mr. *Longfield*, and produced the election expenses at the last election for Totnes.

[Adjourned to To-morrow at Eleven o'clock.

Wednesday, 21*st March* 1866.

MEMBERS' Names called over;—all present.

Mr. *Thomas Dennis*, sworn; examined by Mr. *Longfield*; cross-examined by Serjeant *Ballantine*.

Mr. *John Crocker*, sworn; examined by Mr. *Banks*; cross-examined by Serjeant *Ballantine*.

Miss *Charlotte Cock*, sworn; examined by Mr. *Longfield*; cross-examined by Serjeant *Ballantine*.

Mr. *John Fox Green*, sworn; examined by Mr. *Longfield*; cross-examined by Serjeant *Ballantine*.

Mr. *John Thomas Wilcox*, sworn; Serjeant *Ballantine* objected, on the ground that this witness was called to contradict the evidence of the last witness, who was not an adverse witness.

Mr. *Longfield* was heard in reply.

The Committee decided that the witness might be examined; examined by Mr. *Longfield*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Longfield*.

Mr. *James Edmunds*, sworn; examined by Mr. *Longfield*; cross-examined by Serjeant *Ballantine*.

Mr. *John Sanford Screach*, sworn; examined by Mr. *Longfield*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Longfield*.

Mr. *Robert Muggeridge*, sworn; examined by Mr. *Longfield*.

Mr. *Robert Harris*, sworn; examined by Mr. *Longfield*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Longfield*.

Mr. *Samuel Heard*, sworn; examined by Mr. *Longfield*; cross-examined by Serjeant *Ballantine*.

Mr. *William Reeves*, sworn; examined by Mr. *Banks*.

[Adjourned to To-morrow at Eleven o'clock.

Thursday, 22*d March* 1866.

Members' Names called over;—all present.

Mr. *William Daniel Narromare*, sworn.

Mr. Serjeant *Ballantine* objected to this evidence being received, on the ground that the witness had been in the room during the proceedings.

The Committee decided that the evidence could not be received.

Mr. *Joseph Marriott*, sworn; examined by Mr. *Cooke*.

Mr. *John Yabbicombe*, sworn; examined by Mr. *Cooke*; cross-examined by Serjeant *Ballantine*; re-examined by Mr. *Cooke*.

Mr. *George Robert Stone*, sworn; examined by Mr. *Cooke*.

Mr. *Cooke* stated that that was the case for the petitioners; and Mr. Serjeant *Ballantine* having intimated that it was not his intention to call any witnesses, Mr. *Longfield* summed up the case in support of the Petitioners.

Mr. Serjeant *Ballantine* addressed the Committee on behalf of John Pender, Esq., one of the sitting Members.

Mr. *Henry James* addressed the Committee on behalf of Alfred Seymour, Esq., the other sitting Member.

Room cleared. The Committee deliberated.

Resolved,—

" That John Pender, Esq., was guilty of bribery at the last election.

" That John Pender, Esq., is not duly elected a Burgess to serve in this present Parliament for the Borough of Totnes.

" That the last election for the said Borough, so far as regards the return of the said John Pender, Esq., is a void election.

" That Alfred Seymour, Esq., is duly elected a Burgess to serve in this present Parliament for the Borough of Totnes.

" That it was proved to the Committee that an offer of a place or employment was made by the said John Pender, Esq., to Robert Harris.

" That it has been distinctly stated by some witnesses, and the general tenor of the evidence given leads the Committee to believe, that a system of gross corruption prevailed at the last election for the Borough of Totnes, and also on former similar occasions.

" That there is reason to believe that corrupt practices have extensively prevailed in the said Borough."

Parties called in, and informed of the decision of the Committee.

Ordered, That the foregoing Resolutions be reported to the House.

MINUTES OF EVIDENCE.

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Tuesday, 20*ih March* 1866.

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MINUTES OF EVIDENCE.

Tuesday, 20th March 1866.

MEMBERS PRESENT:

Sir Michael Beach.	Mr. Cubitt.
Mr. Cogan.	Mr. Norwood.

THE RIGHT HON. EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

Mr. JAMES RICHARD NAYLOR was called in; and, having been sworn, was Examined by Mr. *Banks*, as follows:

Mr. *J. R. Naylor.*

20 March 1866.

1. YOU are Deputy Clerk of the Crown, I think?—Chief Clerk.

2. Do you produce the poll-books of the last election for Totnes?—Yes.

3. By the *Committee.*] Are those the poll-books which you have with you?—Yes (*handing them in*). This is the writ and the return (*handing in the same*).

[The Witness withdrew.

Mr. WILLIAM DANIEL NARRAMORA was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

Mr. *W. D. Narramora.*

4. WHERE do you reside?—At Totnes.

5. What situation do you fill?—Clerk to the Registrar of the County Court.

6. Are you in the employment of a solicitor there, or were you at the election?—Yes.

7. Will you state his name to the Committee?—Mr. Bryett.

8. Is he a solicitor residing at Totnes, and are you in his service?—Yes.

9. Are you an elector of the borough of Totnes?—I am.

10. Do you know persons residing there of the name of Michelmore: Charles Michelmore, Jeffery Michelmore, and Henry Michelmore?—Mr. Charles Frederick Michelmore.

11. Do you know him?—Perfectly well.

12. What is he?—He is a solicitor in the town.

13. Mr. Jeffery Michelmore?—Mr. Jeffery Michelmore is the son of the steward of the Duke of Somerset.

14. Is he in partnership with his father?—I believe he is, because it is the firm of Michelmore & Son.

15. Who is Mr. Henry Michelmore?—Mr. Henry Michelmore is a son of the steward of the Duke of Somerset, and a solicitor practising at Newton Abbott.

16. Were either of those gentlemen engaged in the last election on behalf of the sitting Members, Messrs. Pender and Seymour?—Mr. Charles Frederick Michelmore told me he was retained as a solicitor, and canvassed on behalf of Mr. Seymour.

17. Did you see him actually canvassing on behalf of the sitting Members?—I saw him, and he asked me for my vote in company with Mr. Alfred Seymour, one of the sitting Members.

18. Did you see him more than once engaged in the election canvassing with the sitting Members, or either of them?—At least 20 times.

19. With one or both of the sitting Members?—Both of them.

20. In the company, not merely of you, but of others?—Yes.

21. Canvassing in the usual mode; the Members accompanied by their agents and the chief men going round the town?—Yes.

22. You saw them more than once?—Several times.

23. Had you any conversation with Mr. Charles Frederick Michelmore before the election?—About a month previous to the election.

24. Had he then been canvassing on behalf of Messrs. Pender and Seymour; was it then known, at the time you had this conversation, who were to be the candidates on behalf of the Government, or Liberal side?—It was then generally believed that Mr. Pender and Mr. Seymour would seek re-election, but it was not known whether a Conservative candidate would come forward.

25. State the first conversation you had with Mr. Charles Frederick Michelmore?—The first conversation that I had with Mr. Michelmore was about a month previous to the then anticipated general election. I then said to Mr. Charles Frederick Michelmore, "Is there any chance for a sub.," meaning money, in Totnes.

26. "Sub." is for subscription, is it?—Money bribes. It is well known at Totnes.

27. Is it a current phrase in Totnes?—It is a very current phrase, meaning a good sum for a man's vote in Totnes; his reply to me was, "You are not quite such a fool as to believe there will

Mr. *W. D. Narramora.*

20 March. 1866.

be a contest in Totnes, Narramora." I then said to him, "Well, sir, if there is no contest I had better go to Mr. Hamiford, at the Stamp Office, and tell him to order down about 50 bankruptcy petition stamps."

28. Was there anything more then said?—He then said to me, "Very well, with all my heart; I shall get my share out of them," as I knew he would in case there were bankrupts.

29. Did anything more occur then?—He said "It is all nonsense, Narramora, your talking in that way; you know you will vote for us, and if 50*l.* is of any use to you I will get that sum for you."

30. Did any conversation subsequently take place before you a day or two before Mr. Kennard arrived?—About a few days previous to Mr. Kennard arriving in Totnes; Mr. Kennard is a gentleman that I do not know more than that I was informed that he was a gentleman that went down to Totnes for the purpose of contesting the borough on Conservative principles; I never saw him any more than I have been told.

31. How long was this before what you mentioned just now?—It was about two or three days previous to the sitting Member, Mr. Pender, giving a tea that was held at the Castle, the grounds of his Grace the Duke of Somerset.

32. Tell us what occurred at the second interview with Mr. Charles Frederick Michelmore?—I said to him, "Mr. Michelmore, our candidate has arrived." "Well," he said, "with all my heart; more fools more fun." That was Mr. Michelmore's expression; he said to me, "But really you do not mean to say that there will be a contest in Totnes?" I said, "I am certain of it." Then he said, "You have got no chance." I said, "You will never make me believe it;" because it was a question of money in the borough of Totnes.

33. That was your reply?—Yes, that was my reply; he said, "Just to show you that you are wrong, come to my house and I will show you my poll-books." I said, "I shall not go to your house, because you will never make me believe it." "Well," he said, "supposing it is so, do you think Mr. Pender would be beaten if it cost him 10,000*l.*"?

34. What further happened; did he or you say anything more?—Nothing then occurred.

35. You referred to a tea given by Mr. Pender; when was that?—I really cannot give you the date; it was previous to the election, at the laying of the foundation-stone of a school that has been erected by Mr. Pender, one of the sitting Members for Totnes; and at the laying of the foundation-stone a tea was given by Mr. Pender some days before the nomination. I met Mr. Michelmore in company with, I should think, 20 others at the Castle Inn in Totnes.

36. Can you tell the names of any of those persons?—There was present Mr. Sawyer, the landlord of the inn.

37. By the *Committee.*] Was this at the tea party?—This was at the Castle Inn, not at the tea party. After we left the grounds we went into an inn adjoining, the Castle Inn; Mr. Charles Frederick Michelmore was present. There was the landlord and Mr. John Johns, and several others that I cannot remember.

38. Mr. *Longfield.*] Was there any conversation then?—There was much discussion going on in the room about the then forthcoming election. "Well," I said, "sir, it is no joke about our Conservative candidate having arrived;" meaning Mr. Kennard.

39. Was this to Mr. Charles Frederick Michelmore?—To Mr. Charles Frederick Michelmore. He said, "You know it is all nonsense what you are stating." I said, "Sir, I am certain he has arrived." He offered to bet me 10*s.* that there would be no contest in the borough of Totnes. I took the bet, and the money was placed in the landlord's hands; which 10*s.* I have never had to this day.

40. What further then occurred; that was but a small transaction?—After sitting in the room some time, Mr. Michelmore and I left together on our way home. Just after we got outside the inn, Mr. Michelmore said to me, "Narramora, what fools we made ourselves; its all nonsence our being beaten, you know you will vote for us." I said, "Sir, why do not you come over to the respectable side" (meaning the Conservative side).

41. What did he say in reply to that?—He said, "You know you will vote for us." I said, "Wait till the time comes, and you will know more about it." The subject then dropped.

42. Did the conversation terminate then?—Yes.

43. How soon afterwards had you an interview which is impressed on your memory, before the election?—I had seen him several times previously; but on the subject of the electioneering, as far as my recollection tells me, nothing occurred till the Sunday previous to the election at Totnes.

44. That was about the 9th of July?—Yes.

45. Tuesday the 11th was the nomination-day, I think; did you see Mr. Charles Frederick Michelmore on that day, the 9th?—Mr. Charles Frederick Michelmore came into the Seven Stars Hotel about 10 o'clock on Sunday evening.

46. What hotel is that?—The hotel where Colonel Dawkins and Commander Pim, the Conservative candidates, were staying; in fact, where the Conservative business was carried on. Mr. Michelmore came into the smoking room of that hotel, and came over and sat between me and Mr. John Heads, the proprietor of the hotel.

47. What occurred then?—Several persons considered that Mr. Michelmore had no right in the Conservative camp, and he was called upon to give an explanation why he came there. His answer was, that he thought it a great farce that so many men, namely, the non-electors of the borough, should be employed on both sides of the question to watch the borough by night to see that no voters were taken off.

48. Did you and he then leave the hotel together?—A little private conversation then took place between myself and Mr. Michelmore as to his being there; and, to the best of my belief, Mr. Michelmore said to me, "Narramora, will you go with me"? All at once he said, "I have got a fearful toothache;" he then asked me to go to Dr. Owens with him to have his tooth taken out. I refused to go. He then asked Mr. Philip Kellan Niner. Mr. Niner and Mr. Michelmore left together, and went to Dr. Owens, and he had his tooth taken out, as he so stated, when he returned to the room.

49. What took place then?—The parties present still persisted in Mr. Michelmore's leaving the room. He again asked me to leave with him, which I did.

50. About what hour was this?—About half-past

past ten to quarter to eleven at night, I should think.

51. What direction did you go in?—Just after we got outside the hotel Mr. Michelmore said to me, "Come with me, Narramora." I said, "Where are you going?" "To the Seymour Hotel," Mr. Michelmore's reply was.

52. Tell the Committee where the Seymour Hotel is?—The Seymour Hotel is situate in the borough of Totnes. In fact, the hotel where Mr. Pender and Mr Seymour, the sitting Members, were staying.

53. Had the Liberal candidates put up there; was that their committee-room?—Yes. After we went outside the hotel Mr. Michelmore asked me where I was going, and invited me to go to the Seymour Hotel. I said that I would walk across the bridge with him, the bridge which divides Bridge Town and the Seymour Hotel from the Seven Stars Hotel. He said, "Will you vote for us Narramora; if you will, I will give you 100*l.*" My reply was, "No." "Will you for 200*l.*"? I said, "No." He said, "Is a good situation of any use to you?" I said, "What sort?" He then said, "What would you like; would you like to go into a shop?" I said, "No"; and to the best of my belief (I would not swear positively), Mr. Michelmore stated, "Mr. Pender has great interest with some large drapers in Manchester, and you can get a good situation there."

54. Did anything further then occur?—He then said, "Well, will you come in with me and see Mr. Pender"? I refused to go into the hotel to see Mr. Pender; I objected to go into the hotel at that hour of Sunday night to see Mr. Pender.

55. Did anything further pass?—He again pressed me, and I refused. He said, "Very well, come in with me," which I did. We went into the hotel, and went into the sitting-room. He rang the bell, in order, I will not be certain whether it was for a glass of grog for myself, and for a glass of gin and an eightpenny cigar. When it was brought in he said, "That is how we do things this side of the bridge, Narramora, in a respectable sort of way."

56. Were there many persons in the room at the time?—No one with me and Mr. Michelmore. He again pressed me to vote for 200*l.* I said, "I must consider of it, sir." "Well," he said, "Narramora, just to show you that we do not want your vote I will show you my poll-book; but still," he said, "I should like you on our side." I drank my glass of grog and put my eightpenny cigar in my pocket.

57. Did he say anything more about the canvassing book, or anything in that way?—The canvassing book was shown to me in confidence, and I refuse to give evidence on that point.

58. Did he say anything to you about Mr. Bryett, whose employment you are in?—He said to me, "If your situation is any obstacle in the way, I will see Mr. Bryett, and put that to rights."

59. Did you leave it then, or what further occured?—We were about then to leave the hotel, and just going down over the steps. Just then Mr. T. W. Windeatte of Totnes ——

60. Tell the Committee who he is?—Mr. T. W. Windeatte is the son of the solicitor that was the then sole agent, as I may so term it, or had the sole management of the last general election for Totnes; he is since deceased.

61. Well, what happened?—Mr. Windeatte called to Mr. Michelmore as he was going down over the steps, and said, "Oh, I am much obliged to you, Mr. Narramore, we require Mr. Michelmore, and we will see him home." I then bade him good night, and I went home. I went to the Seven Stars Hotel.

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62. Where did you go then?—I went to the Seven Stars Hotel and saw the gentlemen there, and told them what had taken place. Amongst them I saw a Mr. Thomas Fraser Kellock, the mayor of the borough of Totnes. I told him what had taken place.

63. Did you see Mr. Michelmore afterwards?—I saw Mr. Michelmore the next morning canvassing with Mr. Pender. Mr. Pender went into Mr. Willis's shop. The late Mr. Windeatte was with Mr. Pender in the shop, and Mr. Charles Frederick Michelmore spoke to me.

64. What did he say then?—He asked me if I had considered the matter.

65. How far from Mr. Pender was he at the time?—Mr. Pender was in the shop, and I was outside in sight of Mr. Pender, if he had chosen to look out in the front street. Mr. Michelmore asked me if I had considered the conversation that had taken place (meaning the offer), and I said I had not considered it.

66. What occurred then?—Nothing then occurred. Mr. Michelmore said, "Will you allow me to introduce you to Mr. Pender"? I said, "If you introduce me to Mr. Pender, you will have a worse chance of getting my vote." He said, "Nonsense." I again said, "I refuse to see Mr. Pender, because, if I accept your offer, I should not like other parties to know of it, or have the slightest suspicion that I had accepted a bribe," which I had no more intention of receiving than I am not in this room. He said, "Very well, I will put that to right, and Mr. Pender shall not canvass you;" and Mr. Pender never canvassed me, and I do not believe he ever saw me or knows me.

67. For whom did you vote?—I voted for Colonel Dawkins and Commander Pim.

68. Did you see Mr. Charles Frederick Michelmore afterwards?—I did not see Mr. Charles Frederick Michelmore afterwards, until about 12 o'clock the Saturday after the election.

69. Did anything occur then?—I will give you, first of all, the first interview. I saw him just outside our office in Fore-street, Totnes. There were about four or five present; we were talking about the election, and I said, "Never mind, we are not beaten yet; if you think Colonel Dawkins is a dunghill, he is not. He has said that he will petition against the corrupt borough of Totnes, and do not forget that I have been offered a bribe by you." His reply was to me, "And you were a damned fool that you did not accept it." About an hour afterwards I had occasion to go to the Union, and went down the back way, which gets up in Fore-street, and passed the Market House Inn. There were several people in the inn, and seeing me passing gave a knock at the glass, and drew me in. There were about 12 present. They were arguing about the Totnes election, and I again reminded Mr. Michelmore of his having offered me a bribe; and he again stated, in the presence of several witnesses, who will corroborate what I say, "I tell you you are a damned fool not to take the 200*l.*"

70. Who were those that were then present?—There were present Mr. William Dart, cabinet-maker,

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maker, Totnes; Mr. John Godfrey, tailor, Totnes; Mr. John Farnal Searl, butcher; he has left Totnes now.

71. Who else?—I cannot mention the others.

72. Was Mr. Searl an active partisan on the Conservative side, or the Liberal side, or neither?—Mr. Searl was a man that was looking out for the most, or at least he told me so.

73. Did you see him canvassing at any time?—Never.

74. Did you have any further conversation with Mr. Charles Michelmore, about payment of cheques or anything of that sort; about a cheque for 50*l.*?—No. This is since the election, Mr. Charles Michelmore has told me, in fact. I could not swear that it was Mr. Pender's cheque; but he has shown me a letter, addressed, "C. F. Michelmore, solicitor, Totnes"; and there was a cheque inside the envelope. "There," he says, "that is the sort of jolly old brick Pender is; that is a cheque for 50*l.*"; and he said, "Alfred Seymour has sent me one for 25*l.*"

75. He did not say that Alfred Seymour was a jolly old brick?—He did not.

76. What did the letter contain about the cheque?—I did not see the letter. He showed me a letter with the cheque; and he left me, and went and he paid it away; and he came back to me, and he said, "That is what I do with my money when I get it:" and he said, "I have got about 11*s.* or 12*s.* left for my own self:" and the following day he borrowed 30*s.* or 2*l.* from me. I should tell you, that if I had not received a threat from Totnes this morning, before coming into the witness-box, I should not have given this private conversation.

77. Had you any further conversation?—Mr. Michelmore, in the presence of witnesses, said to me, "Narramore, after our intimacy, and you know how we are situated with each other, you know you would not be such a blackguard as to give evidence against us." But by sending to Totnes, for I presume there is no evidence here, and it is quite new to the other side ——

78. Do you know the Seymour Hotel?—Yes.

79. Is that the head-quarters of the Liberals?—It is.

80. Can you say whether Mr. Pender and Mr. Seymour stopped there; had they their committee-rooms there; were their partizans continually there?—I believe so; in fact, I positively swear it was so.

81. Did you see them continually going in and out there, as they did on your side at the Seven Stars?—I did.

82. Can you tell the names of any of the parties; do you know Mr. James Edmunds?—I know him perfectly well.

Cross-examined by Mr. Serjeant *Ballantine.*

83. There is one little thing I did not quite understand; when was this threat that you speak of?—This morning.

84. And but for that, you would not have told something?—I certainly should not.

85. What is it you would not have told?—The part about Mr. Michelmore having shown me the cheque, and having stated what he did with the money; and the creditors to whom he paid it, I could mention.

86. You came up here to upset, as far as you could, the seats; you were subpœnaed here?—Yes.

87. And you meant to keep that back, out of delicacy?—That portion I did. In fact Mr. Edmunds did not know it until——

88. As far as I gather, it was a feeling of delicacy?—Yes.

89. Being the friend of Mr. Michelmore, you thought you would tell all about offering a bribe, but from a feeling of delicacy you would not mention that private conversation?—Yes.

90. Mr. Michelmore and you were considerable friends?—Yes, perfectly so.

91. He was a gentleman of rather convivial habits?—Yes.

92. Rather fond of his glass, when he could get it?—Yes.

93. And not very well able to bear it?—Well, he would not like me to say so.

94. No, I dare say; but you know you have sacrificed your delicacy; you may tell us anything now; do not mind a bit. You have astonished your own agents, you know. He was very often the worse for liquor?—Oh, certainly.

95. I suppose he was pretty much so when he was talking about this 100*l.* and 200*l.*?—Well, if he was not sober on that occasion, he was the next morning.

96. That is to say, his drunkenness was not of a character to affect his memory?—No.

97. Did not you think it rather odd that Mr. Michelmore should make that offer to you, notwithstanding the friendship between you?—Certainly not.

98. You are a clerk of Mr. Bryett's, are you not?—Yes.

99. And Mr. Bryett is a tolerably well-known Conservative?—Yes, but he never interferes in politics.

100. What?—He has not of late.

101. Do not be in a hurry; he is a very well-known Conservative, is not he?—Of course he is.

102. Why "of course" should a man be a Conservative; I know that it is very proper; you say that it is the respectable side; and it is your side?—I will tell you why: he has always been a Conservative, to my recollection, and he has never deviated from his principles.

103. You knew that?—Yes.

104. And Mr. Michelmore knew that you were his clerk?—Yes.

105. And that you had also been a Conservative whom nothing ever influenced?—Well, I never voted but once.

106. You were still floating upon the waters of doubt, were you?—If I was so weak-minded to accept that.

107. Never mind; we are all weak-minded at times; at Totnes, according to your account, there is a good deal of weakness?—There is, indeed.

108. You had not quite made up your mind then which side you should take?—I certainly had made up my mind.

109. Had you told Mr. Michelmore so?—No, I did not.

110. Is Mr. Michelmore in the same office with yourself?—Not at that time; he is now.

111. They have taken Mr. Michelmore in?—No, not in partnership, but he has an office below; he has nothing whatever to do with Mr. Bryett; he is under the same roof, but he has nothing whatever to do with Mr. Bryett.

112. This 100*l.* was offered to you for your vote, was it?—It was.

113. Did not he ask you first which way you intended to vote?—Certainly not.

114. Do you mean that he offered you 100 *l.* before he enquired which way you would vote?—He offered me 100 *l.*, and positively asked me to vote for Pender and Seymour.

115. And you refused?—I refused, and then he offered 200 *l.*, and I refused.

116. And then you took time to consider?—Then he offered me the situation.

117. Which did you take time to consider, the situation or the 200 *l.*?—I took time to consider whether I should not accept it at all.

118. Had you made up your mind not to accept it?—I certainly had.

119. What did you say you would take time to consider for?—I knew Totnes; and I thought if we got beaten there would be an election petition.

120. Tell me that again; I did not quite follow it?—I had previously promised my support to Colonel Dawkins and Captain Pim, and at the time that Mr. Michelmore was offering to bribe me, I did not tell him that I had so promised.

121. That is to say, you knew that there would be an election petition?—If there was a petition I should certainly give evidence.

122. Is that the reason that you took time to consider?—No, not at all.

123. Then why did you take time to consider?—Because if a good situation, something like 300 *l.* or 400 *l.* a-year had been in the way, I might have ——

124. Then, if I understand you right, your principles are bounded by the amount?—It is generally so in those rotten boroughs.

125. Then, if enough had been offered you, you would have taken it?—I would have taken a good situation.

126. What do you mean by a good situation?—£. 300 or 400 *l.* a-year.

127. I mean, what do you value your honesty at; that is just what I want to know; 300 *l.* a-year?—Value my honesty at?

128. Yes, you vote against your conscience, and your promise. You had promised, and you had your principles, and you were ready to abandon both promise and principles, and how much for; and the respectable side; I had forgot that?—I will explain that to you.

129. Just answer me; how much it may be valuable to you at Totnes?—£. 300 or 400 *l.* a-year.

130. I may put it down in round figures 350 *l.*?—Well ——

131. Now I know; it is just what I wanted to get; so you took time to consider whether you should accept that?—I did.

132. You were going to give an explanation?—I will give the explanation. After that bribe had been offered to me I left the Seymour Hotel and saw Mr. S. C. Kellock, the mayor of the borough. I then told him what had been offered and he said, "Take the 200 *l.*, and vote against them."

133. Mr. Kellock is the mayor and a solicitor?—Yes.

134. And he advised you to take the money?—To make sure of it, and when I came out to the poll to vote against them.

135. That is the advice you got from the mayor of Totnes?—I did.

136. As you had got so good advice as the mayor's, why did you not go and take it; what could you do better than take the mayor's advice?—He was not mayor at the time; in fact I should consult my own feelings before I should the mayor's.

137. Your own feelings were 200 *l.* or 350 *l.*; now I want to know, having got a legal opinion upon the subject from a gentleman about to become a mayor, an embryo mayor, why did not you take that advice?—I did not like to take it and vote against them. If I had taken the bribe I certainly should not have split afterwards.

138. Is Mr. Kellock the agent to Colonel Dawkins?—He was solicitor.

139. And retained by Colonel Dawkins?—I do not know.

140. Was he retained upon the Conservative side?—He was.

141. Did you tell Mr. Michelmore that you had consulted Mr. Kellock?—I did not. I have told him so since.

142. You, notwithstanding his advice then, determined not to take the money?—I would not do so; the money was a matter of insignificance to me.

143. Money, as I understand you to say, is so in Totnes?—No, what I mean to say is, that 200 *l.* would be no use to me, but perhaps a good situation of 300 *l.* or 400 *l.* might be.

144. How far is it to Totnes. Now you were determined, you know, to make this matter of evidence; you knew that there would be a Committee, and you were determined ——?—I will tell you. On the Saturday after the election I wrote off my statement, which I have now given to you, I believe, and Mr. Edmunds of Totnes, I have no doubt, would produce it, and I swear I have never seen that statement from the Saturday after the election up to this time.

145. I did not say you had. I say you have a very good memory. I dare say they would have shown it you if you had asked?—They have given me a copy, which is in my pocket. Mr. Edmunds had the original.

146. How do you know it is a copy?—Mr. Edmunds told me so.

147. You have looked at the copy?—I looked at it this morning.

148. Just tell me why?—I will tell you why.

149. Thank you?—After I left my lodgings and went to No. 6, Victoria-street, where Mr. Edmunds was, and we were subpœnaed to attend, I had a note put into my hand, from Totnes, as I stated before, about the threat. I then looked at the notes, and I will produce it if you wish.

150. Keep it; I see you have it next to your heart. But have you read it?—I read it to see if there was a portion in it I had not given before, because I really could not tell whether I had given any evidence about that part.

151. Why?—There was a lapse of time.

152. There was a lapse of time, your recollection being imperfect, and so you got a copy of what you had said before?—As long ago as the 11th of July.

153. Would it not have been a good plan to take the money, and mark it, and so end the whole affair?—I was advised——

154. By whom?—By Mr. Kellock.

155. To keep it for the purposes of the petition, I mean, and to say, "Here is the money that they bribed me with"?—That did not occur to me.

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156. I thought Mr. Kellock suggested it?—He suggested to take it, and vote against them.

157. It never occurred to you to take the money, and take it to Mr. Kellock, and say, "This is the money they gave me"?—No; if I had taken it I should have kept it myself.

158. You do not mean really that you would have kept it?—I should not have given it to Mr. Kellock.

159. Did not you try to get it?—I did not get it.

160. Did not you try to get it?—I was told I could have the tin.

161. I want to carry you to another part of this rather odd transaction; you told Mr. Michelmore that there would be a petition?—Since the election.

162. And then he went to about a dozen people, and admitted that he had attempted to bribe you?—He said, in my presence, that he had offered me the bribe.

163. And in the presence of about a dozen people?—Yes.

164. After you had told him that there would be a petition?—No, before. I stated the Saturday after the election. I will swear I never said anything about the petition at that time.

165. You know you wrote your statement on the Saturday after the election?—That was the conversation I had with Mr. Michelmore; that is the threat that you are coming to there.

166. I am glad you have told me what I am coming to; you were not always so particular as you are to-day about speaking the truth, were you?—I am quite particular; it is the second time I have given my evidence in a court of justice, and the second time I have given the truth in a court of justice.

167. I think there was a registration for Mr. Erskine, in 1863; you remember that, do not you?—Yes.

168. Do you remember Mr. Erskine suggesting that you ought to be indicted for perjury?—Certainly not. I will swear that if you bring up the whole of Totnes, no one will say that.

169. Were you examined in the county court?—That is better; now you are coming to the threat.

170. Did you admit there that you had told a falsehood?—I admitted that I had told a falsehood with regard to the rifle corps, but not in any court of justice.

171. Is not a county court a court of justice?—What you refer to took place in Mr. Bryett's office.

172. Did not you admit that you had sworn to a falsehood?—I was sworn then to give the truth; and I said that what I had stated in Mr. Bryett's office was not correct.

173. When you were sworn, did you admit that you had told a falsehood before?—I certainly did, and I tell you so now.

174. Had you told a falsehood?—I did tell a falsehood, without an explanation.

175. A deliberate falsehood?—Certainly not a deliberate one.

176. But a falsehood?—Yes, a falsehood. If you will allow me to give an explanation, I can.

177. Certainly, give it?—At the getting up of the rifle corps throughout the country, Mr. Bryett in Totnes being a respectable solicitor in the town, was the first person to get up the formation of the corps. He called upon the town clerk, or the town clerk upon him, and notice was given for the purpose of forming a rifle corps in Totnes. A meeting was so called, and at the first meeting Mr. Bryett was appointed under secretary to that corps; it was then to be decided whether it was to be a cavalry or infantry corps. I recollect at one time Lord Seymour attended, and said he should insist upon its being a cavalry corps. Afterwards we got up an infantry corps in the town, and Lord Seymour got up a cavalry one of his own. Colonel Auckland of Exeter attended several meetings before the uniform was decided upon, and without Mr. Bryett's consent; Messrs. Murray of Exeter sent down 23 suits of uniform, and 60 rifle caps to Mr. Bryett's office, and Mr. Bryett, being the under secretary, could not say to me, "Put it out of our office." He said, "Narramora, see that those things are properly dealt out, use your own discretion." The rifle belts were dealt out, and I received a gain each belt. The caps I had to receive 4 *s.* each for, and the rifle suits belonged to different individuals. I believe that all the rifle suits were delivered to the rightful individuals, with the exception of one suit that belonged to Mr. Tucker, who had sent in his resignation, and said that he intended to belong to the cavalry corps. After that, Mr. Stone said to me, "I am told that there is a suit of clothes not to be used in your office"; he said, "Do you think I can have that suit"; I said, "I really do not know, I will go in and ask Mr. Bryett." I asked him, and he said that there could not be the slightest objection, so I lent the suit to him, which he wore. Nothing occurred till Mr. Bourne, an auctioneer of Totnes, found out somehow that this rifle suit had been so worn, and to tease Mr. Bryett, the matter was brought to Mr. Charles Michelmore's notice, and he wrote to Mr. Bryett, asking for an apology, and damages for the coat so worn.

178. This very Mr. Michelmore?—Yes, this very Mr. Michelmore. First of all, I should tell you that Mr. Tucker called at Mr. Bryett's office; he went into Mr. Bryett and said, "How dare you, sir, to take an unwarrantable liberty with me"? Mr. Bryett said, "What do you mean?" He said, "You have lent my suit of clothes to a damned common shoemaker." Mr. Bryett said, "If you come to my office in that way, I will kick you out of it." Before he left, Mr. Bryett rang the bell, and said to me, "What about those rifle clothes"? I having had his consent about the thing before, thought that I had better say that he had never worn them.

179. Mr. *Longfield.*] What was the inaccuracy?—Mr. Bryett having asked me if the clothes had been so worn, I said that they had not.

180. Mr. Serjeant *Ballantine.*] Which was a deliberate falsehood?—You may have it so.

181. Did not Mr. Michelmore cross-examine you?—He did, at the county court.

182. Did he not ask you whether you would swear that what you had stated was a direct falsehood, and did not you answer, "Yes, sir"?—Yes.

183. And this is the gentleman against whom you are now giving evidence?—Yes.

Re-examined by Mr. *Longfield.*

184. Is Mr. Michelmore ever sober?—Certainly he is.

185. Is he often sober?—Of course he is.

186. Speaking

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186. Speaking about any of the occasions on which he had the conversations you have alluded to, on how many occasions was he sober?—If I may say so, he was half-tight.

187. In the morning when he spoke to you was he sober?—He was perfectly sober.

188. You got this memorandum to refresh your memory as to a particular portion of it about this cheque?—I merely wanted to know, inasmuch as I had not given you that part of it to my knowledge. After I received the notice I took up the copy evidence "with reference to the 50*l.* cheque." There it is in pencil.

189. As to this falsehood; did you ever admit that you had told one in that hurry to Mr. Bright?—I will swear that I have never sworn to a falsehood in my life.

190. How long was that occasion since?—In the year 1859, and I am in the same employment now. I have attended to the rifle corps ever since.

[The Witness withdrew.

Mr. THEODORE BRYETT was called in; and, having been sworn, was Examined by Mr. *Banks*, as follows:

Mr. *T. Bryett.*

191. YOU are a Solicitor at Totnes?—I am.

192. Do you know Mr. Narramora?—He is one of my clerks.

193. He has been some time in your office?—Oh, many years.

194. Have you a good opinion of him?—

Mr. Serjeant *Ballantine* objected to the question.

195. Do you know Mr. Charles Michelmore, of Totnes?—Yes.

196. Do you remember Mr. Michelmore calling upon you in reference to Mr. Narramora?—With reference to what matter, I would ask.

197. At the time of the election, did he say anything about Mr. Narramora?—I saw but very little of Mr. Michelmore during the election; in fact, not more than once or twice, perhaps, had I any conversation with him. I remember that on one occasion, in the course of a little chit-chat, he said, "Narramora would vote for us, but he was afraid of offending you."

198. What was your reply?—Really it was such a very casual conversation that I cannot undertake to swear what was the reply; I think it is very possible I might have said, "I do not use any influence with my clerks."

199. You did see Mr. Michelmore, you say; did you see him acting at all as a canvasser with Messrs. Pender and Seymour at the time of the election?—I cannot undertake to say whether I did see him in company with them or not; and I felt so little interest in the election, that I really saw but very little of it.

200. Do you know anything of a person there of the name of William Pengelly?—There are several Pengellys.

201. William Pengelly?—There are several Pengellys, and unless you tell me the trade, I should not know him.

202. A shoemaker?—Oh, yes.

203. Was he in your debt, about the time of the election?—Yes, he owed me a little money; that is to say, I had paid a little money for him.

204. He owed you a little money; and did he settle it; did he pay it to you?—A very few days after the election he came to my office, and he said, "Sir, I have brought you a sovereign"; and then, after, he paid me the whole; the same day, in fact.

205. What was it?—It was somewhere about 3*l.* I refused to take the 1*l.* from him when he brought it, and he then brought the whole.

Cross-examined by Mr. Serjeant *Ballantine.*

206. I think you have been long practising in Totnes?—I have been for many years.

207. For some years you were an active member of the Conservative party?—At the time when Bary Baldwin was candidate, I was acting for him.

208. It was perfectly well known in the town that you were Conservative?—Yes. For many years I have not taken an active part in those things.

[The Witness withdrew.

Mr. JOHN GODFREY was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

Mr. *J. Godfrey.*

209. WHERE do you reside?—At Totnes.

210. Are you an elector of that borough?—I am.

211. Do you know persons of the name of Michelmore there?—Yes.

212. Charles and Jeffery?—Yes.

213. By the *Committee.*] Is that Charles Frederick?—Yes.

214. Mr. *Longfield.*] Do you know a man of the name of Searl?—Yes.

215. Do you know Mr. Narramora, who has just been examined?—I do.

216. Do you remember being with any of those parties about the time of the election; the Saturday after the election?—Yes.

217. Who were present then?—I was.

218. Who else?—Mr. Narramora, Mr. Charles Michelmore, Searl, one man of the name of Dart, and several others, were there at the time.

219. Were they in conversation about the election?—They were.

220. What was it that passed?—Mr. Michelmore said to Narramora, "Narramora, you were a damned fool for not taking that 200*l.*"; and Narramora says, "I do not see it." "Well," says he, "you were a damned fool not to take it."

221. Was anything said by Mr. Michelmore as to what he was to receive for his services from either of the candidates?—Yes, 25*l.*; he said he was going to receive from Messrs. Seymour and Pender.

222. Did any further conversation take place?—I do not know that anything particular happened after that.

223. By the *Committee.*] What was the date of that conversation?—The Saturday after the election; I think it was the 15th.

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224. Mr. *Longfield.*] Do you remember Searl being present there?—Yes.

225. Do you remember anything said about money by Searl?—Searl said that he wished the bank was open; he had got so much money; he wished to put it in the bank.

226. What is his name; there are several Searls?—John, and something else besides, John Searl; I do not know the other name.

227. Did he say that in the presence of you all; in the presence of Michelmore too?—Yes.

228. About what hour was this?—In the morning, about 11 o'clock. I cannot tell exactly the time, I think it was in the morning.

229. Do you know a man of the name of Pengelly?—Yes.

230. Where does he live?—There are several.

231. A shoemaker, William Pengelly; do you know him?—Yes.

232. Was he active in the election?—I saw him during the election.

233. Canvassing with the Members, or what?—Oh, no.

234. You did not see him taking any part?—Not taking any part.

Cross-examined by Mr. Serjeant *Ballantine.*

235. There were a great many people very active in the election on both sides, were there not?—Yes.

236. A good deal of activity was shown in fact?—Yes.

237. Which side were you?—For Dawkins and Pim.

238. You are a Conservative?—Yes.

239. You voted that way?—Yes.

240. Had you voted before?—Yes.

241. Always for the Conservatives?—No.

242. Your principles have changed?—Yes.

243. Have you become more Conservative since the former election?—Well, I do not know whether more Conservative or no.

244. Your reason has brought you to a proper mode of thinking?—Yes.

245. There has been no other influence?—No.

246. It was a matter of reason?—A matter of reason, a matter of opinion.

247. Which way did you vote before?—For Mr. Dent.

248. Mr. Michelmore knew, of course, that you had voted for the Tories?—I dare say he did.

249. What time was it that this conversation took place?—It was in the morning.

250. What time in the morning; was it at that period of the day when Mr. Michelmore is drunk or sober?—That is a question that I cannot answer.

251. I dare say you will be candid?—I should think it was very early for a man to be drunk at that time of the day; it was before dinner.

252. Michelmore does begin early, does he not?—I am not in the habit of knowing.

253. Was he sober?—I should consider he was.

254. Was he what the last witness called "half-tight"?—I cannot form an opinion whether he was either drunk or sober at that time; he had had several glasses for certain, but it takes a good deal to get him tight.

255. I think we are agreed, then, are we not, that he was half-tight?—Well, that he might be.

256. He is very talkative when he is only half-tight, is not he?—He is talkative generally.

257. I think you are the gentleman who said he talked the greatest nonsense of any man you ever knew?—No.

258. You expressed a strong opinion about his folly?—No.

259. You are quite sure?—Yes.

260. Did not you think it a foolish thing to talk in your presence about bribing, when there was to be a petition?—I knew nothing about a petition.

261. Did you book it?—Did I book it? No.

262. You remember it perfectly well?—Perfectly well.

263. I dare say you may have agreed with Mr. Michelmore that that young gentleman was a "damned fool" for not taking the 200*l.*; what did you think about it?—That was another man's matter; I had not the opportunity.

264. You had no opportunity for making yourself a "damned fool"?—No.

265. You knew Michelmore; why had not you a talk with Michelmore?—Perhaps he was otherwise engaged.

266. Did you look after Michelmore?—No.

267. Did Michelmore look after you?—No.

268. You had changed your politics since, you know?—Yes, and so had he.

[The Witness withdrew.

Mr. William Henry Phillips Bovey was called in; and, having been sworn, was Examined by Mr. *Banks,* as follows:

Mr. *W.H.P. Bovey.*

269. You are a Confectioner at Totnes?—I am.

270. Are you an Elector?—Yes.

271. Do you know a man named Charles Pengelly?—I do.

272. Did you have any conversation with him?—I have.

273. Who is Pengelly?—A brother-in-law of mine.

274. Was he acting in the election?—He was.

275. Which side?—The Liberal side.

276. Was he one of the paid agents, to the best of your belief; was he a poll clerk?—Oh, yes, he was.

277. Did he canvass you for the side for which he was acting?—He did.

278. Did he make you any offer?—

Mr. Serjeant *Ballantine* objected to the question, on the ground that Pengelly being merely one of the poll clerks, could not be considered as an agent.

Mr. *Longfield* suggested that the facts should be elicited now, the question of law being reserved.

279. Mr. *Banks.*] He asked you to vote?—Yes.

280. Did he make you any offer?—He did.

281. What did he offer you?—£. 40.

282. By the *Committee.*] That is Charles Pengelly?—Yes.

283. Mr. *Banks.*] What did you reply to that?—"No."

284. In what terms did he make this offer of 40*l.*?—Well, he came to me one Monday morning before the election, and he asked me if I had made up my mind, if I had promised which side I would vote. I said "Yes, my business compels me

me to vote for the Conservative side." He asked me if I wanted any assistance in my business, and if 40 *l.* would be of any consideration to me? I replied "No."

285. Did he make you another offer?—He did.

286. What was that?—60 *l.*

287. In the same terms?—In the same terms.

288. What did you reply to that?—I replied in the same manner.

289. Did you see him again afterwards?—I did.

290. On the same day?—On Tuesday.

291. Did he then make you an offer?—He did on the Tuesday, the day before the election. The first was on the Monday evening.

292. What offer did he make you on that Tuesday?—60 *l.*

293. Did he raise his offer again after that?—He came to me again in the evening of the same day and offered me 80 *l.*

294. Did he ask you anything more?—I replied "No, I cannot vote that side," just as I said before, "my business compels me, more or less, to support those who support me."

295. Did you see him on the Wednesday morning, the day of the election?—I did.

296. Did he offer you anything on that day?—He came again on the evening of the Tuesday after that, the second time.

297. And did he offer you then?—He asked me if I had made up my mind to what he offered me in the morning.

298. What did you reply?—I said, "Yes, it is just the same thing as I said before, I cannot conscientiously go from my word, inasmuch as I had signed a requisition on the other side."

299. Then on the Wednesday did he offer you?—He came to know my decision; he asked if any larger sum would be any consideration.

300. By the *Committee.*] That was on the Wednesday?—The Tuesday evening.

301. Mr. *Banks.*] On the Wednesday what happened?—On the Wednesday morning he came to know my decision.

302. Did you waiver?—No, he came to know the message he should take back; I was to name a sum.

303. Did you name that sum?—I did.

304. What?—In those words "anything above 200 *l.* I will consider of it."

305. Did you get your 200 *l.*?—I did not.

306. Which way did you vote?—For the Conservative side.

307. Do you know the Seymour Hotel?—I do.

308. Do you live near there?—I live just below the yard.

309. How long does it take to get there?—About three or four minutes.

Cross-examined by Mr. Serjeant *Ballantine.*

310. Anything above 200 *l.* you would consider?—Yes.

311. Did you mean that?—He kept on tempting me, and I had given him a flat denial two or three times.

312. Did you mean that you would consider it?—I said that I would consider of it.

313. What did you mean by that, that you really would consider of it?—Anything above 200 *l.* certainly. 200 *l.* one would consider of in business.

314. You would consider of it?—I would give it a consideration.

315. You meant that?—Yes.

316. It was upon your mind in consideration as to whether you would take it if you could get it?—Yes, just so.

317. And you could not get it?—I was going to vote on the other side.

318. But you could not get the 200 *l.*?—If I had a mind to say, yes.

319. You really did refuse it?—Yes.

320. The consideration brought you to a proper state of mind?—I positively declined before.

321. After consideration you declined the 200 *l.*; after the consideration, I say?—I had made up my mind before that.

322. You took time to consider, and then you declined?—It was merely to get rid of him.

323. Then you never had an idea of taking it?—No.

324. All you wanted was to get rid of him?—Yes.

325. What did you mean by swearing just now that 200 *l.* might be of importance in business?—I said that.

326. What did you mean; that you really did not consider it, or that you did consider it? Had not you passed a sleepless night in considering whether you should be honest or not?—Not the least.

327. What relation is Pengelly to you?—A brother-in-law of mine.

328. He married your sister; is that it?—Yes.

329. You voted for the Tories?—Yes.

330. They were very ungrateful, and you got nothing out of them?—No person offered me anything.

331. Did you get anything?—No, not a farthing.

332. Then you lost the 200 *l.* and got nothing; 200 *l.* is of importance in business?—Certainly it is.

333. Did not you get anything; you would not mind taking money to vote according to your conscience; did not you get anything?—Nothing; I have replied to that question before.

334. You adhere to that, do you?—Yes.

335. When this petition was talked about, did you see your brother-in-law upon it?—What do you mean, sir?

336. Did you see your brother-in-law, and have a conversation with him about this petition?—Very often; he continued coming to the shop.

337. Did you, upon one occasion, say to him that you were sure that he knew something about the last election, and that, if he would tell, you knew that something handsome could be done for him?—Yes.

338. Did he say "I know nothing whatever"? Just brush up your memory; did not he say, "I know nothing whatever"?—No.

339. You swear that?—Yes.

340. What did he say; he said something; he would not be so unpolite as not to answer you. I am sure he said something?—The first time I think I saw him; I cannot exactly remember.

341. Never mind about being exact; a trifle one way or the other does not matter much.—About the first time I did see him?

342. I do not care whether it was the first time or the last time; did not he say, I know nothing whatever?—Not the first time.

343. Well, the second time?—Yes.

Mr. *W. H. P. Bovey.*

20 March 1866.

344. You had been trying him twice?—He continually came into the shop, chaffing me.

345. You are given to chaffing each other?—Yes.

346. Did you say, "I will give you time to consider; call in and let me know"?—No.

347. Nothing of the kind?—No.

348. Did you call upon him the next day?—What day?

349. After this conversation?—Yes; he kept coming in the shop most every day.

350. Then I will follow him into the next day. Now, in the presence of your wife, did you ask him if he had made up his mind about telling about the last election, and did he say, "I know nothing, and if I did I would not split"?—Oh, no.

351. Nothing of the kind?—No. He said that if he was to say what he did know it would probably turn over the election.

352. That you swear?—Yes.

353. That he told you that if he told what he did know it would probably turn the election?—Yes.

354. Did you ask him to come and tell it?—Yes.

355. Did you promise him anything for it?—Yes.

356. What did you promise him?—I do not remember any sum.

357. What did you promise?—I said I would reward him; something in those terms; I cannot say exactly the words.

358. I want to know how much; did you mention?—I do not know that I mentioned any sum.

359. Did you mention no sum at all?—I do not remember that I did.

360. Did you say 50 *l.* at first; did you afterwards go as high as 400 *l.*?—No.

361. Did you mention 50 *l.*?—I do not remember that I did.

362. Will you swear that you did not mention a sum of 50 *l.*?—Yes.

363. Did you mention any sum?—I do not know whether I did mention any sum or not at all.

364. You have no idea?—I cannot say now.

365. Who authorised you to offer him money?—It was merely being friendly, we being relations.

366. I see you are friendly, and I know that you are relations. Where was the money to come from, because you know you had got nothing from the other side?—Exactly.

367. You have been a patriot, and got nothing for it. Where was the money to come from?—I did not satisfy him where the money was to come from.

368. You would not make a promise unless you could perform it, I am quite sure, now, would you?—That was to be proved.

369. That is in the womb of time. Where is the money to come from? Never mind drawing figures with your stick upon the carpet, but tell me where the money was to come from?—I told him I would give him the money.

370. Where was it to come from?—That made no difference to him.

371. Was it to come out of your own pocket? did you, for the sake of the borough, offer to give him money out of your pocket?—I had got no benefit in the borough.

372. Where was the money to come from?—I do not know that it is particularly a question to answer.

373. I know that it is not a pleasant question to answer?—I did not say "pleasant."

374. Is it unpleasant: now, do at once say; do, for your own sake, and that I may not annoy you; tell me whether it is an unpleasant question to answer?—No.

375. Then answer it?—I said, "not a particular question."

376. Where is the money to come from?—I did not satisfy him where the money was to come from.

377. But you satisfied yourself, and now satisfy us?—Well, if I had a mind, Sir, to offer you anything——

378. I should not accept it; at all events, unless I knew where it was to come from. Never mind me; I know that I could be easily tempted. Where was the money to come from?—I did not satisfy anyone.

379. Where was it to come from?—Out of my own pocket.

380. That you swear?—If I was minded to give any person anything.

381. Do you swear that the money you offered was to come out of your own pocket?—It was the way of speaking.

382. Do you swear that the money you offered was to come out of your own pocket?—We were speaking not positive facts.

383. You offered money; do you swear that was to come out of your own pocket?—I did not say where it was to come from.

384. Where was it to come from; I shall call the attention of the Chairman in a moment to your way of answering these questions; where was the money to come from?—I said I tried that just to see if he would be tempted in any way.

385. For shame! You do not mean to say that you were tempting your own brother-in-law?—He tempted me hard enough.

386. So, from a feeling of reciprocity, you tempted him; then you did not mean to give it him; now, did you?—If that he had——we had several consultations.

387. Go on; "if that he had," you began?—If that he had told me what he did know, I would reward him for it.

388. Did you mean that, or not?—I did mean it.

389. And how did you mean to reward him?—By making him a present.

390. Of what?—A present of money.

391. Where from?—I could get it from the other side.

392. Did anybody employ you to do that?—No.

393. You mentioned, did you not, the name of Mr. Edmunds?—I did.

394. Did you say to him, "Now, about this job, if you are going to do anything for yourself you must do it at once, because Mr. Edmunds wants to go to London, and he told me to see you again, as he must have your answer this afternoon;" did you tell him that?—I do not remember that I did. I cannot remember the exact terms, but I will give you the facts.

395. Did you say that to him?—Mr. Edmunds came in the shop to say that the petition was going to be brought; this is the conversation.

396. Mr.

396. Mr. Edmunds is the agent for this petition?—I think he is; I am not certain.

397. Now go on with your story?—To know whether I had seen Pengelly.

398. Then it was by his desire that you tempted Pengelly?—Yes.

399. You know now pretty well where you were to get the money from; the money was to come from Edmunds, was it not?—I do not know whether it was to come from Mr. Edmunds or not.

400. When you tempted Pengelly, did you know that the money was to come from Edmunds?—Through Mr. Edmunds; this was after our first conversation.

401. Did Edmunds tell you how much you might offer; how far you might go?—No, I do not remember that he did.

402. Will you swear that he did not; you know you would not like to bind yourself, because it might have been inconvenient to you, as a man of honour, to promise a thing?—Just so.

403. I suppose you ascertained how far you might go?—The words were those. Mr. Edmunds came into the shop to ask me to see Pengelly; the terms that were used were "to turn Queen's evidence, and there would be a reward"; something like that; if they turned Queen's evidence; it was something like that.

404. I am sure you are not conveying Mr. Edmunds' ideas clearly; now, for his sake, if not for your own, tell us clearly how far did Mr. Edmunds authorise you to go?—He did not authorise me to "go" anything.

405. You have told us alreadythat he had authorised you to offer something?—To go and ask him.

406. How much did he say?—He did not say.

407. How much did you offer; did you not offer him 50*l.*?—I do not remember that I did; I may; I used similar persuasions as he did to me.

408. I quite understand it; how much did he offer you, I forget; was it 200*l.*?—No.

409. You said you would consider the 200*l.*?—Yes.

410. Did you tempt him to that same amount?—No.

411. What did you mean by saying you tempted him the same?—He asked me to name my sum.

412. Did you name a sum?—I named it.

413. How much?—I said, anything above 200*l.* I would consider of it.

414. That is yourself; but I am asking you about this; you say you were tempted, and so you tempted him; did you offer him 200*l.*?—No.

415. You did not put on so strong a temptation?—No.

416. Did you tell him that you were going back to Edmunds in the afternoon, and would put 50*l.* in his way, if he would tell something about the election?—I think I did.

417. Now you recollect the 50*l.*; now did Edmunds authorise you to say that?—Mr. Edmunds (I cannot say the exact words) said that something might be done for him.

418. Did Edmunds authorise you to offer the 50*l.*?—No.

419. Then why did you do it?—I said I would go to Mr. Edmunds and ask.

420. Did you go to Edmunds and ask?—I saw Mr. Edmunds afterwards.

421. What did you tell Edmunds?—I cannot remember the exact words now.

422. I should like to know?—I told Mr. Edmunds that I had seen Pengelly; at first he was inclined to tell what he knew, he said, in consideration if there was anything to be rewarded, anything handsome.

423. Did you ever mention 400*l.*?—Not a bit.

424. If I understand you, then, neither you nor your brother-in-law could be tempted?—Yes.

Re-examined by Mr. *Banks.*

425. What did your brother-in-law say the first time about knocking up the election?—Before the election?

426. No, after the election; this chaff between you and your brother-in-law; this was a family conversation?—Yes.

427. And your brother-in-law told you, in a friendly way, that he had the power to knock up the election?—Yes, just in those words; I cannot say they were the exact words, but to that effect.

428. Did he name any sum by which he might be tempted to split? You had named your sum, 200*l.*, like an honest man; did he name his sum for which he would split the other way?—I do not remember whether he stated it or not.

429. You have said that you mentioned 50*l.* between you; did he demur at that?—He would think of it.

430. Did you mention any higher sum?—I said if I could name any higher sum would that do. I did not think that I was going to be asked again, or I might have taken more notice of the words.

431. Did you go up the same scale as he had to you?—No.

432. By the *Committee.*] Did you offer Pengelly 50*l.*?—Well, I think I did; I am not certain; I am not positive, but I think I did.

433. Now that your memory has been refreshed by this examination, are you not sure whether you did offer him 50*l.* or not?—I cannot say; if I could, I would.

434. In the early part of your examination, I took down that you swore positively that you did not offer him 50*l.*; can you reconcile that with your last statement?—I cannot say whether I mentioned the number or not.

435. Did you not swear positively that you did not offer him 50*l.*?—That I cannot say; you have my evidence down.

436. What is Pengelly?—He is a shoemaker.

437. A master shoemaker?—No, he works with his father.

438. Are you a shoemaker too?—No.

439. What are you?—A confectioner.

440. Have you voted at previous elections before this?—No, this was the first election that ever I was mixed up in.

[The Witness withdrew.

Mr. HENRY JARDINE PRESSWELL was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

Mr. *H. J. Presswell.*
20 March 1866.

441. ARE you the Returning Officer for the last election for Totnes?—No.

442. What office do you hold?—My father is the town clerk of Totnes.

443. Is he ill?—Yes.

444. And unable to attend?—Yes.

445. Did you get those election accounts, now in your hand to produce, from him?—Yes.

446. Have they been kept in his custody in the proper office?—Yes.

447. Will you hand them in?—(*The Witness did so*).

[The Witness withdrew.

Adjourned to To-morrow, at 11 o'clock.

Wednesday, 21st March 1866.

The Right Honourable EDWARD PLEYDELL BOUVERIE, in the CHAIR.

The Names of Members were called over:—All present.

Mr. THOMAS DENNIS was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

Mr. *T. Dennis.*
21 March 1866.

448. WHERE do you reside?—At Totnes.

449. What occupation are you?—A fly proprietor.

450. Anything else?—I have a lease of a fishery in Totnes; a salmon fishery.

451. Who is the landlord?—The Duke of Cleveland, and the Duke of Somerset.

452. Has the Duke of Somerset much property near Totnes?—He has a good bit in Totnes.

Mr. Serjeant *Ballantine* stated, that he did not find this Witness's name in the list which had been handed in by the other side, and that he would therefore ask Mr. Longfield the object of this examination.

Mr. *Longfield* stated that this Witness was called to give general evidence, and not evidence of bribery.

The *Chairman* stated, that under those circumstances, the examination might proceed.

453. Mr. *Longfield.*] You were there before the election, were you?—Yes.

454. Do you know the Messrs. Michelmore; Mr. Charles Frederick Michelmore, do you know him?—Yes; very well.

455. Do you know the two successful candidates, Mr. Pender and Mr. Seymour?—Yes.

456. Do you remember Mr. Pender calling on you at any time before the election?—Yes.

457. In whose company was he?—In Mr. Charles Frederick Michelmore's.

458. Did they call on you for any purpose?—Well, they called on me for to solicit my vote; that was what they called for.

459. What day was that; do you remember?—The 5th of July.

460. Did they call on you at any other time?—No.

461. What conversation had you with them then?—Being in the salmon way, I think I had 10 salmon there in the house, and Mr. Pender and Mr. Michelmore were looking at them, and Mr. Pender desired me to select out one to send to Manchester to Mrs. Pender, which I did so, and he gave me the directions.

462. Did he pay you then for it?—No.

Mr. Serjeant *Ballantine* objected to the line of examination on the ground, that if there were any pertinency in this evidence, it pointed to bribery.

Mr. *Longfield* stated, that there was not the slightest imputation of bribery in this case.

The *Chairman* stated, that if the evidence should end in that, the Committee would not be able to admit it.

463. Mr. *Longfield.*] Did he pay you then for the salmon?—No.

464. At what time did he tell you to call for the payment?—He said, "Look over to the Seymour, some time during the time I am there, and I will see you paid."

465. Did you go to the Seymour Arms?—I went to the Seymour, the Monday following; the Monday previous to the election, for to see his servant, to get paid for the fish before the election came off.

466. Was that Monday, the 10th?—Yes.

467. Whom

467. Whom did you see then?—During the time I was waiting for the servant, Mr. Frederick Charles Michelmore came out on the steps, and he said, "Dennis, are you paid for that fish?" I said, "No, sir;" he said, "Come along with me, and I will pay you."

Mr. Serjeant *Ballantine* objected to the course of examination, on the ground that either it was totally irrelevant, or it pointed to bribery.

Mr. *Longfield* stated, that he had no intention of contending that the price paid for the fish, 19 *s.*, was an extravagant price, and he stated that this evidence was merely introductory to other evidence as to what happened at the Seymour Arms.

The *Chairman* stated, that there was not sufficient cause yet for Mr. Serjeant Ballantine to object to the evidence.

468. Mr. *Longfield.*] Were you asked in then?—Mr. Michelmore paid me then. He asked me what the fish was. I said, 19 *s.* 6 *d.*: 13 lbs. at 1 *s.* 6 *d.* a pound."

469. When you were paid, what happened?—Then I was paid, and he asked me whether I would take a glass of grog. "I said, "Thank you, sir, I am just going to have one," and then he walked into the room where a lot of gentlemen were, perhaps 100 or 150.

470. What room was that?—In the large room, what is called the new room, used for a ball-room and a dining room.

471. You said a large number were there?—Yes.

472. Were Mr. Pender and Mr. Seymour there?—Yes.

473. Can you recollect the names of any of the parties who were there beside Mr. Pender, and Mr. Seymour, and Mr. Michelmore, and yourself?—Yes.

474. Can you tell us the names, especially those you knew, of the electors?—At the head of the table, when I came, was Mr. Mozey, the farmer.

475. Was he sitting at the head of the table?—At the head of the table.

476. By the *Committee.*] At what time of the day was this?—At eight o'clock in the evening; they were just lighting the lamps, eight or a quarter after.

477. Mr. *Longfield.*] Who else was there?—Mr. Mortimer was there, Mr. Barry, Mr. Samuel Cumming, of Totnes, was there; that was the higher end of the table. I sat the lower end of the table. On the lower end where I was sitting there was a different class of people; there was myself, and there was Mr. Prout, the clerk to Mr. Michelmore, and Mr. Alfred, that lives at Gresham, and old Mr. Searl and young Mr. Searl, two Mr. Thomas Searls, Mr. Farley, of Bridgetown.

478. Do you remember a person of the name of Venn?—Mr. Venn, the old exciseman, superannuated now, Mr. George Mitchell and Mr. Stanning.

479. How many (speaking in round numbers) electors were there whom you knew by sight?—All those that I am naming were electors.

480. Were there others besides?—Yes, there were plenty of non-electors there; I should think there were at least 150 with all.

481. You have named about a dozen electors, I think; did you see a man named John Elliott?—Yes.

482. And there were other electors there?—Just at that time a hundred of them, if I could have taken a note of them.

483. What was going on there?—They were drinking grog.

484. Where were Messrs. Pender and Seymour; were they sitting at the table too?—At the head of the table.

485. Was the grog going round?—The spirit was brought in (it was not grog) in quart decanters; brandy, rum, and gin it was that we had at our table; what the gentlemen had up ahead I do not know, whether brandy, or spirits, or wine.

486. Did you call for anything?—I called for grog when first I went in; but then Mr. Michelmore said, "Come in, and have a glass here;" that was when I went into the room. Then my glass was poured out of the decanter, and there were spirits on the table, and hot water and sugar.

487. Did Mr. Michelmore say you were to help yourself, or did anybody help you?—Nobody helped us. At the bottom of the table, where I was sitting, there was Mr. Prout on the left hand of me, and we helped ourselves; we had got a little table to ourselves. We had got a decanter of rum, and a decanter of brandy, and a decanter of gin, and when one was empty the waiter was called to fill them.

488. Is Mr. Prout in the office of Mr. Michelmore?—Yes.

489. Which Mr. Michelmore?—Mr. Michelmore of Bury.

490. Is Mr. Michelmore the steward of the Duke of Somerset?—Yes.

491. Did you stay there some time?—I was there from eight o'clock to 12.

482. Was drinking going on all that time?—As much as you pleased; when one decanter was empty, the waiters were passing by, and as one decanter was empty they said, "Here, waiter, fill it again."

493. Were the two gentlemen there, Messrs. Pender and Seymour, the entire time?—I would not say, because they kept on going in and out; they were there when I came in. Mr. Pender made a speech there after that.

494. They were there for some time?—Yes; I would not say how long they were there, or how long one was there, because they kept on coming in and out.

495. What hour did you leave?—I left at 12.

496. What about paying; did you ask anything about paying; or say anything about paying?—I asked whether there was anything to pay; I was willing to pay my share; and Mr. Prout said, "Nothing; that is all right."

497. In truth, you have paid nothing?—No, I paid nothing; and they did not ask me for nothing.

498. Did you see any of the company pay anything?—I did not while I was there; but who did I do not know.

499. All that is certain is, that you did not?—No.

500. And you never saw any others paying?—No.

501. Did you often, during the election, see Mr. Pender and Mr. Seymour canvassing?—I did not see Mr. Seymour at all; only Mr. Pender once; that was the time he got the fish.

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Cross-examined by Mr. Serjeant *Ballantine.*

502. You heard some speeches that night?—Up the head of the table; I was a good way away.

503. You found that dry work?—I did not take much notice; I was a long way away.

504. You took something to console you; you were listening to Liberal speeches, and you were always a staunch Tory?—Well, perhaps I was.

505. You were always known for a good substantial pillar of the State; they never attempted to get your vote; they merely asked for it?—They asked for it.

506. And you said you could not give it?—Mr. Pender asked me, and I told him that I could not; and he never asked me afterwards.

507. Did you drink much?—Three or four glasses of grog.

508. You went home quite well?—I went home very comfortable indeed.

509. And you were never asked for your vote afterwards?—No.

510. By anybody?—No.

511. You voted like a constitutional person?—(*The Witness paused*) I voted for Colonel Dawkins and Captain Pim.

512. You do not forget their names, do you?—Yes, I do; I do not bear them in mind very much.

513. Did a little girl come in to get paid; do you remember a little girl coming in to ask for payment?—What for?

514. For the grog?—No, she never asked me; I never paid a farthing: of course, I offered to pay.

515. By the *Committee.*] Did you see any payment made?—No.

516. Was there any meeting on the other side—your side of the question?—I do not know; I never went inside the door of the "Stars;" and I should not have gone there, if it was not for the payment of the fish.

517. You are not aware of any other meeting?—No.

518. This was on the 10th of July?—Yes. On the 6th Mr. Pender bought the fish; that was on a Wednesday.

[The Witness withdrew.

Mr. John Crocker was called in; and, having been sworn, was Examined by Mr. *Banks,* as follows:

Mr. *J. Crocker.*

519. Do you live at Totnes?—Bridgtown.

520. What is your occupation?—Cordwainer; and waiting table occasionally.

521. Were you employed as a waiter during the election at Totnes?—The week previous to the election; and at different times before the election, at the "Seymour Hotel."

522. You were employed as a waiter where?—At the "Seymour Hotel."

523. While you were acting as waiter at the "Seymour Hotel," do you remember a large party; a convivial party, there?—Yes.

524. Were the candidates staying at the "Seymour Hotel;" either of the candidates?—Both.

525. Mr. Pender and Mr. Seymour, do you mean?—Yes.

526. Were there any meetings before the candidates themselves came down?—There was one meeting, the Tuesday week before the election.

527. Was that a considerable meeting?—Well, I cannot tell the number.

528. Did you wait upon them?—No, I only got the tables to right; and then I was ordered not to wait on them.

529. Did you have any reason given you for being ordered not to wait upon them?—

530. Mr. *Henry James.*] By whom was he ordered?—

531. Mr. *Banks.*] By whom were you ordered not to wait?—By Mrs. Beazley.

532. Who else was staying in the hotel at the time?—Lord Cranstown.

533. Was Mr. Michelmore staying there?—By day; I never knew him sleep there.

534. Was he constantly there?—Yes.

535. Were any others there, electors of Totnes?—Yes, many that I know; Mr. Chester, Mr. Holman, and Mr. Windeatte.

536. By the *Committee.*] Is this Mr. Michelmore, Charles Frederick?—No, Mr. Jeffery Michelmore.

537. Mr. *Banks.*] Was not Mr. Charles Frederick there?—Yes, at times.

538. Who else was there at the same time?—Mr. Jenkins; and there was a strange gentleman there, in one of the rooms, that I did not know the name of, with grey hair. I think he wore a white hat out of doors, with a black band round it.

Mr. Serjeant *Ballantine.*] Those are not our colours.

539. Mr. *Banks.*] Was a person of the name of Windeatte there?—Yes.

540. Was a person of the name of Elliott that we have heard about; do you remember whether he was there?—Elliott, the carpenter; yes, I saw him there, as well as many other electors, and non-electors.

541. Give us some more names?—I cannot reckon the whole of them.

542. Give us half a dozen?—Mr. Rees, Mr. Prout, Mr. Kerrard, Mr. Lorrimore of Totnes, Mr. Searl the tanner. It is impossible for me to enumerate the whole. I cannot do it.

543. Were these gentlemen constantly in and out of the Seymour Hotel?—Yes.

544. Was there any room set apart for them if they liked to come?—There were three rooms they had.

545. What were the rooms?—No. 4 was a dining-room, No. 5 was where these gentlemen were in mostly, writing and so on, and No. 6, I think, was Mr. Seymour's room.

546. And was it from any of these gentlemen that you received orders not to go into the room?—No, I never received any orders in a direct way from any of the gentlemen; but Mrs. Beazley told me that they had been and told her I was not to wait on them.

Mr. Serjeant *Ballantine.*] Wait a moment, that is not evidence.

547. Mr. *Banks.*] Did you ever see the candidates, Mr. Pender and Mr. Seymour, in communication with any of these gentlemen that you have mentioned?—Yes, at different times.

548. You saw them?—Yes.

549. By the *Committee.*] Both of them?—Yes.

550. Mr

550. Mr. *Banks.*] Did you see them go into the room No. 5 that you have mentioned?—Yes.

551. Frequently?—Yes, during the day.

552. Did you see this gentleman in the white hat and black band go in and out there?—Yes, frequently.

553. He went in there, you say?—Yes.

554. Do you remember Mr. Pender arriving there?—I do.

555. Were you there when he did arrive?—I was; I helped his luggage in.

556. Did he go into the room with this Mr. Chaster or Mr. Holman?—Yes, he went into No. 5.

557. Did Mr. Pender give you any order when he came into the room?—He ordered me out of the room after I had taken in the things.

558. Was there a committee in that No. 5?—I do not know what they were; the gentlemen were there.

559. Did not Mr. Pender give any reason for ordering you out of the room?—The only reason was because they considered me on the opposite side of the question. They did not want a Tory waiter at the Seymour Hotel; that was what I was told by Mrs. Beazley.

560. Did Mr. Michelmore give you any order or speak to you after that?—Mr. Jeffery Michelmore called me into No. 6, and he said that he would have none of my Tory dodges; there was the election pending. I was not to go to Mr. Screach (that was the man I served my time with. I had not been in the house more than six months), and if he knew that I told anything that I saw done in the house, my name was "Walker," from the house.

561. Do you mean from the Seymour Arms or the house you live in?—The house I live in.

562. Whom does that house belong to?—The Duke of Somerset.

563. What was your reply to Mr. Michelmore?—

Mr. Serjeant *Ballantine* submitted that this was not evidence of bribery, the witness not being a voter, and agency not having been proved.

The *Chairman* stated that this evidence would be of no use as it stood.

564. Mr. *Banks.*] Did anyone else of these gentlemen who were in and out of No. 5, speak to you?—Mr. Jenkins; he called me into another room.

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Mr. Serjeant *Ballantine* objected on the ground that the sitting Members were not bound by anything that Mr. Jenkins did.

Mr. *Longfield* stated that he was not now going into undue influence, but that his object merely was to show what was going on at the Seymour Arms.

565. Mr. *Banks.*] We will leave Mr. Jenkins now. Do you remember any other great meeting in the great room after what you have mentioned; do you remember more than one great meeting?—Two in one week, Tuesday and Saturday night.

566. Were the same gentlemen present; what Saturday was that?—The Saturday night before the election took place; the week following.

567. By the *Committee.*] It was the Tuesday night before the election, was it?—The Tuesday week before the election.

568. And it was the Saturday following that Tuesday, was it?—Yes.

569. Mr. *Banks.*] On this Saturday did you see any of these gentlemen that you have before named going into the great room?—I did.

570. Did you see them eating or drinking in the great room?—I saw them drinking.

571. What were they drinking?—I did not see that.

572. Did you wait upon them?—No, I was ordered not to.

573. But you saw them?—I saw them.

574. Did you help wait outside the room?—No.

Cross-examined by Mr. Serjeant *Ballantine.*

575. You were employed to wait on Lord Cranstoun, were you not?—Not on him particularly.

576. You were told, were you not, that some one accustomed to wait upon the aristocracy was required?—Sir?

577. You waited upon Lord Craustoun, did not you?—I did wait upon him.

578. He was very well satisfied with you?—Sir?

579. Oh! you will not hear me; my friend speaks a good deal louder than I do.

[The Witness withdrew.

CHARLOTTE COCK was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

580. Do you remember the last election at Totnes?—Yes.

581. Were you employed in the Seymour Arms at that time?—Yes.

582. Who was the landlady at the Seymour Arms?—Mrs. Beazley.

583. What situation did you fill in that hotel?—I am a waitress there.

584. Did you attend on the different persons who were in the house?—Yes.

585. You helped as a waiting maid?—I helped to wait.

586. Did you see that man Crocker there?—No, I came on the 10th.

587. Where had you been staying before?—I lived with Mrs. Beazley before in the same place, only I had been home.

588. You came on the 10th, that was a couple of days before the election?—Yes.

C. Cock.

589. How long did you stay there?—I have been there ever since.

590. Are you still in the employment of Mrs. Beazley?—Yes.

591. Was it on the morning of the 10th or the night of the 10th that you came?—The morning.

592. Do you know the large room there?—Yes.

593. And the several bed-rooms and the sitting-rooms?—Yes.

594. Were Messrs. Pender and Seymour there during the time that you were there?—Yes.

595. They were occupying rooms in the hotel, were they?—Yes.

596. What rooms did they occupy?—I did not know

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know what rooms they had; I did not wait on them.

597. Do you know the large room there?—Yes.

598. Were you attending the large room there on the night of the 10th?—Yes, I helped to wait; I did not know who it was for, what I took in.

599. Did you know any of the people who were there at night in that large room?—Yes, I knew Mr. Pitts.

600. Who else?—And Mr. Cumming.

601. Were Mr. Pender and Mr. Seymour in that large room?—No, I did not see them that day.

602. You did not see them at all that day?—No.

603. Did you see them in the hotel that day?—No.

604. Had they left the hotel during that day altogether?—I do not know, but I did not see them, as I did not wait on them.

605. You did not see them at all that day, in the room or out of it?—No.

606. How many people were in the room, as near as you can guess, from, say, eight o'clock at night, until 12 o'clock?—A number of people, but I cannot say how many.

607. From 100 to 200?—I do not think so many as that.

608. Were there half a dozen?—Yes, more.

609. Did you go in and out often?—Yes.

610. Who was in the chair at the top of the room at the table?—I do not know.

611. Do you know Mr. Chaster?—No.

612. Or Mr. Elliott?—No.

613. Or Mr. Searl?—No.

614. Or Mr. Michelmore?—Yes, I know him.

615. Did you see Mr. Charles or Mr. Jeffery Michelmore there that night?—No, I do not remember that I did.

616. You did not see any but Mr. Fitts that you knew?—No.

617. And Mr. Pender and Mr. Seymour were not there?—No.

618. Were they seated round the table in company during the time you were there?—Yes.

619. Is it a large room?—Yes, a very large room.

620. The largest room in the hotel?—Yes.

621. How many will it hold; from 100 to 200 people?—Yes.

622. And there is a long table down the entire length of the room?—Yes.

623. And you did not observe who was sitting at the top of the room, at the table?—I did not know who it was.

624. Did you see many decanters of spirits brought in there?—Yes.

625. Did you bring them in?—No.

626. Who brought them in?—Ann Satchwell.

627. Is she here?—No.

628. Was she the head waitress?—Yes.

629. And you were an assistant?—Yes.

630. Did you yourself carry in any spirits there?—I carried them in for Mr. Cumming.

631. What did you carry in?—About half a dozen or 10 grogs.

632. You took him 10 grogs?—I cannot say exactly the number; about 10.

633. Did you see him leave the hotel that night?—No.

634. Did you take in spirits for any other gentleman?—No, not then.

635. Did you take them in at any other time?—No; the night after I took in some spirits and wine.

636. Did you take in any wine for the company?—One decanter of wine for Mr. Pitts.

637. Did you see a person of the name of Sloggett there that night?—No.

638. Of all that party, did you only know one or two?—Yes.

639. Could you give a guess of how many were there; were there not between 100 and 200 there; was not the room nearly full at one time?—Yes.

640. And how often did you go into it that evening?—I did not go in very often.

641. Do you know a person of the name of Fitzgeorge?—No.

642. Or Mitchell?—No.

643. Do you know George Mitchell, the butcher?—Yes.

644. Was he there that night?—I do not know.

645. How long did you sit up that night?—I went to bed early; I did not stay.

646. You went to bed about 10 o'clock we will say?—About 10.

647. And somebody else attended during the remainder of the night?—Yes, I do not know who.

Cross-examined by Mr. Serjeant *Ballantine.*

648. No. 5 room; is that a small room?—Yes, it is rather small.

649. And was that the private room of Mr. Pender?—I do not know what room he had.

650. Mr. Pitts and another man ordered three grogs of you?—Mr. Pitts and Mr. Cumming.

651. Did you apply to them for payment?—They told me to put it down to them.

652. I believe your mistress was rather angry?—That was about the taps; I carried some grogs in the taps, and the people would not pay me, and she said if I did not get the money she would keep it out of my wages.

653. I hope she has not kept her promise?—No.

Re-examined by Mr. *Longfield.*

654. In fact they would not pay you for it?—No.

655. And your mistress forgave you?—Yes.

656. You were a new hand?—Yes.

657. And came to assist a person who had been there a long time?—Yes.

658. By the *Committee.*] Was it your business to take the money for what you took in the room?—Yes.

659. Did you take any money from Mr. Pitts and Mr. Cumming?—No, no one else in the room.

660. And those two you asked for payment?—No, they told me to have it put down to them.

661. Those were the only people you asked?—Yes.

662. Did not you say you took in a decanter, or something?—That was for Mr. Pitts.

[The Witness withdrew.

Mr. JOHN FOX GREEN, was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

Mr. *J. F. Green.*

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663. WHERE do you reside?—At Totnes.

664. Are you an elector for that borough?—Yes.

665. Did you vote at the last election?—Yes.

666 For whom did you vote?—Pender and Seymour.

667. Did you leave Totnes some days before the election?—I did.

668. Where did you go to from Totnes before the election?—To Plymouth.

669. Did you take the train at Totnes to Plymouth, or did you walk some distance to it?—I walked from Totnes to Brent.

670. And you took the train there?—Yes.

671. What day did you leave Totnes?—I think it was on a Tuesday; the week before the election.

672. You went there?—Yes.

673. How long did you remain?—Till the morning of the election.

674. Did you come back then?—Yes.

675. Were you met on returning by a man of the name of Willington, with a fly?—Yes.

676. Did he take you up to the polling place?—Not to the polling place; he took me to the Seymour.

677. Whom did you see there?—There were two or three there.

678. Mention their names?—Well, I saw John Elliott there.

679. Did you see a man of the name of Windeatte there?—Yes.

680. Did anything occur there?—Nothing occurred.

681. Do you know a man of the name of Wilcocks?—Yes, I do; a brother-in-law of mine.

682. What did you get for your vote, or what were you promised?—Not a halfpenny; not promised anything.

683. By anybody?—By anybody.

684. Do you know a man of the name of Elliott?—Yes, I do.

685. Were you promised by him 60 *l.* if you voted for Pender and Seymour?—No.

686. Were you promised anything?—No, not a farthing.

687. By anybody?—By anybody.

688. What made you leave Totnes?—Because I would not stand any intimidation.

689. Who gave you the money to leave Totnes?—I had it of my own.

690. Had you any conversation with Wilcocks after the election?—No, I have not been friendly with him; he insulted my mistress, and so I have not been friendly with him.

691. Had you any conversation with him?—Not that I know of.

692. Did you ever tell Wilcocks that you were promised by Elliot 60 *l.* if you would vote for Pender and Seymour.

Mr. Serjeant *Ballantine* objected that this was not evidence which the Committee could receive, inasmuch as this witness could not be considered, in the proper sense of the term, an adverse witness.

The *Chairman* stated that the examination might be pursued with a view of testing the accuracy of the witness.

693. Mr. *Longfield.*] Have you not been, since you came to London, with the opposite party, Messrs. Pender and Seymour; among their witnesses, I mean?—Yes, I have.

694. Did you sign a requisition to Messrs. Dawkins and Pim?—No, not that I know by.

695. Now, come to John Thomas Wilcocks; did you, since the election, state to Wilcocks that you were promised by Eliott about 60 *l.* if you would vote for Pender and Seymour, and that you only got 25 *l.*?—Never in my life.

696. Did you say anything to that effect?—No, never to my knowledge.

697. Could you have said it and forgotten it?—I could not have said it, because I never got it.

698. You never told Wilcocks that you were promised anything by Elliott?—No.

699. Or that you were promised anything by anybody else?—No.

700. Or that you got only 25 *l.*?—No, never any such a thing.

701. I give you an opportunity to recollect yourself; did you tell him that you had been promised any other sum by Elliott?—No.

702. Or anything of the kind?—No.

703. Did you say this; that on the Friday evening before the election, Elliott came to you and gave you 5 *l.* to go to Plymouth on the following morning?—I was not there on the Friday before the election.

704. Did you tell him that Elliott gave you 5 *l.* to enable you to go to Plymouth on the following morning?—No.

705. Did Elliott give you 5 *l.*?—No.

706. Five sovereigns?—No.

707. Did he give your wife five sovereigns?—No, not to my knowledge; I know nothing about that.

708. Did you tell Wilcocks that he gave your wife 10 *l.*?—No.

709. Did you tell him that he had given your wife anything?—No.

710. And that he had promised to give you more if you would stay at Plymouth till the morning of the election?—No.

711. Then in truth you went to Plymouth at your own expense?—Yes.

712. And to escape intimidation?—Yes.

713. And you never said it was at Elliott's expense?—No.

714. Did anybody else give you the money?—I had it of my own.

715. Why did you walk to Brent and take the train?—Why, because people should not know that I was gone.

716. Did you tell Wilcocks that either you or your wife got any money from Elliott or from any other person?—No, not to my knowledge.

717. From length of time (some months now) could it have escaped your memory if you had told him that?—I do not believe I could have told him that, because I never had such a thing.

718. Did you on your way to Brent call on a person of the name of John Stirling?—Yes.

719. Where does he reside?—At Tarlington.

720. When you got to Plymouth did you go direct to Mr. Windeatte's house?—I did not see Mr. Windeatte when I got to Plymouth, not directly.

721. Did you see young Windeatte?—I met him in Union-street, all by accident.

Mr. *J. F. Green.*

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722. Who returned with you to Brent on the morning of the election?—A nephew of mine.

723. Did Windeatte return with you?—Yes.

724. You then drove to the Seymour Arms?—Yes.

725. Who did you see there?—Only those two that I know by, who came up with me, Elliott and Windeatte; they were there, and a young man of the name of Callard; I did not stop in the Seymour above two or three minutes before I went and voted.

726. Where did you go after polling?—To the Seymour.

727. Did you get anything there?—No more than what I paid for.

728. Did you get any money there?—No.

729. From anybody?—No.

730. Did you tell Wilcocks that after polling you went home?—I did not see Wilcocks, not that day.

731. But did you tell him at any time that after polling you went home and found Elliott there?—No, Elliott was never in my house in his life.

732. Did you tell Wilcocks that he was, and that he gave you 10*l.* more and promised you the remainder when he got it?—No, I could never have told Wilcocks any such thing; Elliott was never in my house.

733. Do you mean to tell the Committee that no part of that conversation ever took place?—No, I believe it is done out of revenge because Wilcocks and I are not friendly.

734. What is the reason of your not being friendly?—Because of the mother-in-law coming to my house.

735. You positively swear that you went to Plymouth on your own account?—Yes.

736. And that you never got anything from Elliott?—No.

737. And that you never told anybody so?—No, not to my knowledge.

738. Could you, without your knowledge, have told anybody so?—I must have been drunk.

739. Are you often drunk?—I used to be; I was six months out once.

740. Were you drunk on the morning of the election?—I was sober; I never drank till the morning, intoxicating liquor; not to my knowledge did I ever say such a thing in my sober moments.

741. In your drunken moments did you?—In the way of chaff they say, "Here comes Jack; Jack will stand a pot;" I say I have not any money; they say it is close after the election, and call me a liar.

742. Could you, when you were drunk, have said this to Wilcocks?—I could not say.

743. You do not recollect it?—I do not.

744. Are you often so drunk as not to recollect?—When I am drunk I am not fit to guard myself.

745. Were you ever drunk from the election to the present time?—No, I have been a teatotaller for six months.

746. Since the election?—Yes.

747. When did you commence to be a teatotaller?—The 24th of October, or the 20th, I do not know.

748. From July to October were you very drunk always?—When I became a teatotaller I was on the card eight days.

749. From July to October were you sober?—No, I was drunk in and out.

750. Do you know a man of the name of Robert Harris?—Yes.

751. Did you ever meet him about the time of the election?—He was always running about after me, especially when I was drunk; he was quite a pest to me.

752. Did you meet him the day after the election at the bridge at Totnes?—No, not of my knowledge; I cannot say I did. On the bridge?

753. Yes, at Totnes?—The day after the election?

754. Yes?—No.

755. Could you have met him on the bridge?—I do not recollect it.

756. When were you served with a warrant to come here?—About two months back.

757. Did you meet him then?—I did not meet him coming across the bridge. There was a man coming across the bridge, and he nodded to me, and then Croker approached the Petition; I guessed what he was come for; I knew he had a warrant. Croker approached the Petition. Croker said, "Do you recollect my being in your house about three weeks before the election?" "two or three days," I said, "it may be. I have been in your house too many times. I have left scores of pounds there." Then Mr. Harris saw me, and stopped talking about ten minutes about the river and the fishery. Then he approached the election.

758. What did he say?—I cannot say exactly the words that passed; he said, "did I take away some notes," and I said, chaffing and joking, "I always like to have sovereigns;" so I do.

759. Did you say to him, "You are quite wrong, for I always carry sovereigns?"—No, I could not carry money; I had not got any waistcoat on, and I had holes in my trousers.

760. Did you say to him, "Whoever told that about the notes told a lie, for I had it in sovereigns?"—No, I could not have said that.

761. Was the conversation on that occasion chaffing?—Oh! conversation; regularly bullying; he is the bully of our town.

Cross-examined by Mr. Serjeant *Ballantine.*

762. Is that Mr. Harris the gentleman who is called Loppy?—Yes, Loppy Harris; if you say Harris, they will not know his name; if you say Loppy they will know him.

763. Loppy wanted you to come up, did not he, to give evidence?—Yes.

764. Did he offer you anything?—He said to me in this way: he was down on the new work one day, and he walked down to me and shoved his conversation in. There were three of us there besides, and, talking about this Petition, he says to me, "You are aware of the consequence of taking bribes;" that when I came up here before the Committee the Chairman would put the question to me whether I took a bribe or no, and if I said "no," and if I was found guilty of bribery, I should have seven years' transportation, and if I was to own my guilt in taking bribes I should be acquitted.

765. This was Loppy's law?—Yes; Lopy says to me, "You know you had 150*l.*" I said, "I wish I had 150*l.*" There was a man standing by, and I said I would give that man a pot of beer to drink if I had. He said something about giving me 10*l.* if I would come up here and give the evidence.

766. Did he say 10*l.*?—Not exactly that.

767. You understood what he meant?—Yes

768. Is

Mr. J. F. Green.

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76. Is Lipey an old inhabitant of the town?—Yes.

76. Is he here?—Yes, in London.

76. Who is John Wilcocks?—A brother-in-law of mine.

77. Of course you are not friends; what is the quarel which there is between you and Wilcocks; you aid something about a mother-in-law?—The mothr-in-law was there, and she did not feel exactly right and she wished to come back to my hous again; she had left my house. When she foun I was steady, she wanted to come back.

77. When she found all your property was gone?—Oh, no.

77. Then she came to you when you were steay?—Yes.

77. And Wilcocks had a quarrel with you?—No, we never had no words.

77. What on earth did you want with your mothr-in-law there?—To look after the children.

77. You had some property left you, I believe? Yes, about 175 *l.* Thomas Johns paid me.

77. When was that?—Back at the Exhibition, June four years ago.

77. That very nearly ruined you?—It did not ruin me; I am very well now, thank God, and healty too.

77. By the *Committee.*] Is this the first time you have voted?—Yes, it is.

78. Mr. Serjeant *Ballantine.*] Will the Committe ask him whether he has voted in the municipal election.

78. By the *Committee.*] Have you voted in in th election for the council?—Yes; I never voted for a Tory in my life, and could not be a Tory.

782. What are the colours in Totnes; are the parties called by colours there; is it blue and yellow, or blue and red?—Blue and yellow, or blue and red, I do not know which.

[The Witness withdrew.

On Mr. Longfield proposing to call Mr. John Thomas Wilcocks,

Mr. Serjeant *Ballantine* stated that Mr. Longfield had informed him that his object in calling this witness was to contradict the last witness, and he submitted that, inasmuch as the last witness could not properly be considered as a witness adverse to the petitioners, this course was not open to Mr. Longfield.

Mr. *Longfield* was heard in support of his right to call Mr. Wilcocks to contradict the the last witness, and he relied on the 22nd section of the Common Law Procedure Act.

Mr. Serjeant *Ballantine* was heard against Mr. Longfield's right to examine this witness.

Mr. *Longfield* was heard in reply.

The *Chairman* stated that the course was an inconvenient one, inasmuch as it led to evidence on all kinds of collateral issues (which he hoped Mr. Longfield would endeavour to avoid), but that he must hold that, for the purposes of this inquiry, the last witness was an adverse one, and that it was therefore open to Mr. Longfield to take the course which he proposed.

Mr. John Thomas Wilcox was called in; and, having been sworn, was Examined by Mr. Longfield, as follows:

Mr. J. T. Wilcox.

78. Do you know the last witness, John Fox Gree?—I do.

78. Are you connected with him?—He is a brothr-in-law of mine.

78. Had you any conversation with this Fox Gree about the election?—Yes.

78. When did that occur?—About a week after he election.

78. Tell the Committee shortly and clearly what John Fox Green said to you on that occasion?—We got into conversation, and I asked him about election affairs, and I asked him how he got on he told me he had got on very well indeed; he ha had 5 *l.* to go to Plymouth with.

78. By the *Committee.*] He said that?—Yes.

78. Mr. *Longfield.*] From whom did he say?—He did not say from whom.

79. Anything more?—After that he said he was promised more; that he should have shortly.

791. Did he say the amount that he was promised by the person?—He did not.

792. Or by whom he was promised?—He did not.

793. Did he say what he had got?—£ 5. he told me he had got, 5 *l.*

794. Had you any conversation at any other time about that?—Yes, once or twice, two or three times it might have been.

795. Did he at any other time say what he had got?—Not different from the first statement.

796. Did he say anything about his wife or a person of the name of Elliott?—It came in too, but he did not say pointedly that he had.

797. Did he say anything about his wife geting money?—No.

798. Or about Elliott?—No.

799. Did he say that he was promised by Elliott about 60 *l.* if he would vote for Pender and Seymour, and that he had only got 25 *l.*?—He did not say it out plain. I asked him if it was not so, and he made no reply.

800. Did he say anything about being promised 60 *l.* and only getting 25 *l.*?—Yes, that was the first conversation without mentioning names.

801. Without mentioning names, he said he had been promised 60 *l.* and only got 25 *l.*?—Yes.

802. Did he say anything about being promised money if he would stay at Plymouth till the morning of the election?—No, he did not say anything of that.

803. Did he say what he had done on the day of the election?—No.

804. Did he tell you after the election what he had done when returning from the poll?—No.

805. Did he say anything about returning from the polling and going home and finding Elliott there?—No, I did not hear him.

806. Did he on more than one occasion speak to you about his having been promised 60 *l.* and got 25 *l.*?—two or three times.

807. Then was he drunk or sober when he made those statements to you?—Sober; when I say sober, he might not have been exactly, but once he was in particular.

Cross-examined by Mr. Serjeant *Ballantine.*

808. When you were first asked the question as to what took place in the first interview, you said

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said that Green told you he had had 5 *l.* and was promised something more?—Yes.

809. How came you not to mention the 60 *l.* till my learned friend told you of it?—That was the conversation that passed.

810. How does it happen that till my learned friend mentioned 60 *l.*, you never said a word except about 5 *l.*?—5 *l.* he had got.

811. Why did not you mention 60 *l.* if there was one single word of truth in that. You know 60 *l.* is much more likely to be remembered than 5 *l.*?—He did not tell me he had 60 *l.*

812. But he had been promised that, you say?—Yes.

813. And had had part of it, 25 *l.*?—Yes.

814. Why did not you tell my friend that at first?—I was asked one question at a time.

815. You were asked by my learned friend about the first conversation; why did not you mention the 60 *l.* or the 25 *l.* when you were asked the question?—I was not asked that.

816. But did not you remember it when you were asked what took place on the first conversation; did not you remember the 60 *l.* and the 25 *l.*?—I remember it very well.

817. Then why did not you mention it until my learned friend himself put the very sum to you?—I did not know there was any occasion for that.

818. You did not know there was any occasion for that?—Not for answering two questions at a time.

819. Do you mean to represent to the Committee, that the reason you did not mention the 60 *l.* at first was that you did not know there was any occasion?—I did not know he had had it.

820. But he said he had been promised?—Yes.

821. You did not consider it necessary to say so till after you were asked what he said about money, and you said he mentioned he had had 5 *l.* to go to Plymouth, and had been promised something more; that was your answer?—Yes.

822. Did you remember that he had been promised 60 *l.* and had had 25 *l.*?—Yes.

823. Why did not you mention it?—He had not that to go to Plymouth with.

824. He had 25 *l.*?—He said so.

825. Then why did not you mention it when you were asked; did not you remember it?—I remembered it very well.

826. Why did not you mention it?—I did not know that I was obligated to mention it.

827. Did you offer Green anything to come to London to give evidence?—Not a farthing—offer Green anything!

828. It was not you, I find; are you and Green good friends?—Very good, for all I know about it.

829. No quarrel?—No quarrel in my life.

830. No angry feeling?—We have not spoken for a month.

831. Then you could not very conveniently quarrel?—We did not fall out.

832. But you never contrived to fall in?—Yes, if he was to speak to me I would speak to him.

833. What was the reason of this between you?—I had a child lying ill and dying, and he neither came nor sent.

834. So you quarrelled?—I did not quarrel.

835. You did not speak to him; that is so, is it not?—Yes.

836. You are angry with him on that account?—No, I would speak to him if he would speak to me.

837. You cut him, you know, in consequence?—I did not cut him.

838. I understand you to say you did not take any notice of him; passed him with calm dignity when you met him?—Just so.

839. Then you were angry with him?—Certainly I was not very well pleased at the time.

840. What made you swear just now it was not a bit of a feeling of anger and you had no quarrel with him?—It was no quarrel.

841. So you are an affectionate brother-in-law; how long since is it that the child was ill and he did not come; how long after this conversation about the 5 *l.* and the 25 *l.* and the 60 *l.*?—Oh, it was before that, long and long, that this occurred; we have not spoken about a month or two.

842. When did you tell the people about it on the other side?—Three or four months ago, I should think.

843. Before you had quarrelled?—Yes.

844. When you were on affectionate terms?—Yes.

845. For the benefit of your brother-in-law; you did not think there was any harm in it?—No.

846. Whom did you tell?—Mr. Evans.

847. Who is he?—A man at Totnes.

848. What is he?—A cabinet-maker.

849. What made you tell him?—We were in company, and were talking about different affairs.

850. Was your brother-in-law addicted to intoxication?—He was not with us at that time.

851. By the *Committee.*] Are you a voter in Totnes yourself?—Yes.

852. How did you vote?—I have never voted myself.

853. You did not vote at the last election?—No.

854. Mr. *Banks.*] Were you a voter last election?—No.

855. Mr. *Longfield.*] You thought that your brother-in-law ought to have called when the child was ill?—Yes.

856. You have no animosity towards Fox Green to induce you to make false statements?—Certainly not; not the least.

The Witness withdrew.

Mr. James Edmunds was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

Mr. *J. Edmunds.*

857. Where do you reside?—At Marldon.

858. Are you an elector of Totnes?—I am.

859. Is the place where you reside near Totnes?—Within five miles.

860. Did you sign a requisition to the Conservative candidates at the last election?—I did.

861. Do you know the Messrs. Michelmore, Jeffery Michelmore, and Charles Frederick Michelmore?—I do.

862. Did you see them with Mr. Pender or Mr. Seymour any time before the election?—I did not.

863. Did not you see Mr. Michelmore before the election?—I did.

864. Which of them?—Mr. Jeffery Michelmore.

865. Is there an old man of the name of Screach?—Yes.

866. Did

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866. Did you see him before the election?—Yes, many a time.

867. Did Mr. Pender, or Mr. Seymour, canvass you?—No, he did not; Mr. Jeffery Michelmore canvassed me for him.

868. When did Mr. Jeffery Michelmore canvass you?—Some time previous to the election.

869. By the *Committee.*] For one or both the candidates?—For both.

870. Mr, *Longfield.*] Had you been canvassed by the Conservatives beforehand?—Never; but by Screach.

871. Did Screach offer you anything for your vote, if you voted for the Conservatives?—He did.

872. What did he offer you?—Various sums, at various times.

873. What was the highest sum he offered you?—£. 180.

874. Was this before Mr. Jeffery Michelmore called upon you?—That was afterwards.

875. What persuasion did Mr. Michelmore use to induce you to vote?—He used no persuasion; I promised him at once.

876. Did he promise you anything?—He did not; there was no occasion for it.

877. Did you ever tell Screach, at the election, that Michelmore had promised you 200 *l.*?—I did not.

Mr. Serjeant *Ballantine* objected to the line of examination.

The *Chairman* stated that this evidence might be given, but that it must be taken *valeat quantum.*

878. Mr. *Longfield.*] Have you been staying since you came to London with the other witnesses for the sitting Members?—Yes, I have.

879. And they have been paying your expenses?—I have paid my own expenses; we are all in one room, in one house.

880. You all are staying together, all the witnesses for the sitting Members?—Yes.

881. Did you tell Screach that Jeffrey Michelmore had offered you 200 *l.*?—I never did.

882. And that he had said that if that fellow Screach offered more, that they were determined to go beyond him?—No.

883. Could you have told him that and forgotten it?—I could have told him plenty of things that I have forgotten.

884. Could you have told him that; did you tell Screach that Jeffery Michelmore had canvassed you for Pender and Seymour, and offered 200 *l.*?—No.

885.—Or any sum?—No, I never told him any sum.

886. Did you tell him some sum?—No sum.

887. Did you tell him this, that they would see you properly paid?—No.

888. Or anything to that effect?—No.

889. Or that they had offered you anything for your vote?—No.

890. By the *Committee.*] You never said anything of the kind to them?—No.

891. At any time?—At no time.

892. And nowhere?—Yes.

Cross-examined by Mr. Serjeant *Ballantine.*

893. Is Screach the agent for the Conservatives?—I do not know; he came to me several times.

894. Did I understand you aright, that you signed the Conservative requisition?—I signed the requisition that Screach brought me; I was not aware quite what it was.

895. What did he tell you about it?—That he wanted to bring in some different candidates.

896. By the *Committee.*] I suppose they like a contest at Totnes?—Well, I do not know. I like a contest out of it. I have nothing more to do with it.

897. Mr. Serjeant *Ballantine.*] What do you mean by a contest out of it?—I like to be away.

898. You are a gardener?—Yes.

899. I suppose you know whether you got all that money or not?—I should think I do.

900. Did you receive that money or not?—I did not.

901. Upon your oath, you say that?—Yes.

902. By the *Committee.*] Have you voted before?—Yes.

903. Which way?—The same two men.

904. The Liberal side?—Yes.

905. Did you ever sign a requisition before?—No.

906. Were you ever canvassed by Screach before?—I was.

907. For the Conservative candidate?—For the same side.

908. If you had voted for Pender and Seymour before, why did you wish to see some new men come into the town?—One may change his mind; you are not always obligated to be of the same mind every day.

909. When did Screach offer you this 180 *l.*?—The Tuesday previous to the election—the day previous to the last election.

910. Did he offer you any money when he asked you to sign the requisition?—No, he did not.

911. When he offered you the 180 *l.*, what did you say to him?—I was not going to take any money. I would have nothing to do with it.

912. Were you very indignant at being offered it?—Yes.

[The Witness withdrew.

Mr. John Sanford Screach was called in; and, having been sworn, was Examined by Mr. *Longfield,* as follows:—

Mr. *J. S. Screach.*

913. You are an elector of the borough of Totnes, I believe?—No.

914. Or you take an active part in elections there?—I have been supposed to have done so.

915. At the last election did you take any part?—I did.

916. Do you know the last witness, a person of the name of Edmunds?—Very well indeed.

917. Had you any conversation with him?—On various occasions.

918. About the election?—Certainly.

919. Before the election, as well as afterwards?—A good deal more before than after.

920. Did he tell you or speak anything about his share at the election, how he voted, and for whom, and for why?—On the last election?

921. The last general election?—No, he has not told me since the election for whom he voted, and for why; but he told me previous for whom he was going to vote, and for why.

922. What did he tell you before the election; for whom he was going to vote, and for why?—

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Previous to the election I saw him four different times, I think.

923. Canvassing, were you?—Yes, and I asked him for whom he intended to vote; he said he had not made his mind up as he was rather in a bother respecting Mr. Michelmore, of Newton, about a mortgage on his house.

924. Did he say anything to you about being offered by Mr. Jeffery Michelmore a certain sum of money for his vote for Mr. Pender and Mr. Seymour?—On the day of nomination, after the nomination took place at Totnes, I went to Marldon and saw Mr. Edmunds; a conversation took place respecting how he intended to vote the following day.

925. Tell us exactly what Mr. Edmunds said?—He told me he had not made his mind up; then I offered him 200 *l.* to vote for my side; he said he could not make the bargain with me then, for he had seen Michelmore, and Michelmore had promised to meet him at the Seymour Hotel the next morning, and Michelmore had said to him, "It does not matter what that fellow Screach offers to you, I am prepared to give you more money."

926. Did he say anything more to you on that subject?—That is the only conversation that took place relative to the amount that Mr. Michelmore would give him, that he had said that he would give an amount of money over what that fellow Screach would give.

927. Did he distinctly say Jeffery Michelmore?—He did not distinctly say Jeffery; I took it to be Jeffery, because he was in difficulties with him about the house.

928. Is your recollection that he said, that Michelmore said, "Whatever he offers I will give you more"?—I will swear that he said so.

929. He refused your offer?—He refused my offer.

Cross-examined by Mr. Serjeant *Ballantine*:

930. If I may be pardoned the inquiry, what are you?—What is my profession?

931. You may call it whatever you like; profession or anything else?—A cordwinder, or wainer.

932. Do you mean that you are a shoemaker?—Occasionally.

933. What do you mean by "occasionally"?—I have to attend to a public business with my father.

934. You assist your father?—Yes, occasionally.

935. You are a publican and a shoemaker; anything else?—An electioning agent I have been called; I do not admit that I am an electioning agent.

936. But you have been called so?—Yes.

937. You seem to have been behaving very liberally to Edmunds; did you mean to give him that amount?—No, I merely went to offer him that amount, on the day of nomination to know how the markets were going; there was to be a scrutiny.

938. You did not mean to pay him?—Certainly not.

939. It was all a falsehood offering him the 200 *l.*?—I had not the money to pay him.

940. Supposing he had voted for the Tories?—Then he would have had none from me; I had not the money to pay him, I merely went to him for the purpose of seeing how the market was going.

941. You went to him to offer him the 200 *l.* for the purpose of coming here to give evidence?—I knew there was a scrutiny pending.

942. Was it for the ultimate purpose of coming here that you went and made that offer?—Certainly not.

943. What was it for?—For the purpose of knowing what the others were doing.

944. But when you got the information, what were you to do with it?—To come back and to report what the others were offering.

945. Report to whom?—To a gentleman.

946. You are a gentleman; we are all gentlemen; to whom were you to report?—I do not know the gentleman.

947. To whom; you know the gentleman?—I do not.

948. Was he a stranger?—A stranger. I never saw him before or since.

949. Why should you go to the stranger?—Because he had been told I knew a little about electioneering.

950. Who introduced you to the stranger?—I do not recollect.

951. Where were you introduced to the stranger?—On the bridge at Totnes.

952. By whom?—I do not recollect.

953. When?—Some days previous to the election.

954. I want to know who it was that introduced you to the stranger?—The waiter of the "Seven Stars" came to me.

955. He introduced you, did he; you remember that now?—You can hardly call it an introduction; he came to tell me that a gentleman wanted me at the "Stars."

956. Then it was not upon the bridge you were introduced?—He came to me, and said I was to come to the "Stars," and see a gentleman.

957. You quite forgot that when I asked you who it was that introduced you, you forgot that it was a waiter?—The waiter did not introduce me; I was sent for by the waiter to come to the "Stars."

958. Sent for or fetched by the waiter?—Fetched by the waiter.

959. What did he say?—He said that I was to come to the "Stars"; a gentleman wanted me to see him.

960. You saw him?—Yes.

961. Alone?—In the lobby at first.

962. Were you introduced to him?—The waiter went and said, Screach was below.

963. You saw him?—He came down to see me.

964. What did he say to you; you did not know him?—I did not know him; he knew him.

965. How did you know that he was not a Liberal in disguise?—I hardly imagined that.

966. Are not those sort of tricks sometimes played?—Yes; but John Heath, the landlord of the "Stars" was there, and he would have known about that.

967. What sort of a gentleman was this that was introduced?—Well, he was very much like you.

968. Now we have got a clue; in what respect; was he dressed as I am?—He had a wig on.

969. And a gown?—Not a gown.

970. But a wig; what sort of a wig?—Well I could see that it was a wig, because I saw him scratch his forehead, and the wig rose.

971. You have no notion whatever of who it was?—Not in the least; I do not know indeed; I will be sworn.

972. Do not introduce oaths so often; I dare say everybody will believe you without; answer my question; you have no notion who he was?—I have no knowledge at all.

973. Did you report to him, then, the conversations that you had with other persons; you offered a great many people bribes, did not you?—I did.

974. About how many?—I cannot say the exact number; it may have been 40.

975. Was that with the authority of your party; who was the election agent there?—I do not know any.

976. Who was the attorney; was Mr. Edmunds?—I have been informed so.

977. Did you report to him?—Certainly not; Mr. Edmunds did not depute me to go there.

978. You only reported to the gentleman with a wig who was so like me?—That is it.

979. The whole of the 40?—No; I thought you were only asking me about the Edmunds' case.

980. I mean the other cases as well?—I told him a little.

981. When did you see him?—When it was convenient.

982. Whom did you ask for?—When I went to the "Stars," I said to the waiter, "Is the gentleman in that I have been with before"?

983. Was he a gentleman that was seen about the streets at all?—I do not know.

984. You are a shoemaker; you are a publican; and, in addition, you are an electioneering agent; did you not know?—It did not matter to me who he was.

985. In making these reports, you were acting on the Conservative side?—It was thought so much.

986. Were you acting for the Conservative side when you made these offers?—Well, I suppose I was.

987. Do not you know?—I do not know for certain.

988. Do you mean to pledge your deliberate oath to that?—Taking your previous remarks, that I did not know whether this man was Whig or Tory, I did not know whom I was acting for.

989. Did you doubt who you were acting for?—I do not now.

990. Did you then?—Taking your remarks, I might.

991. But you had not my remarks then; had you any doubt then?—Respecting what?

992. Whom you were acting for, Liberal or Tory?—No, not positively.

993. Have you any doubt?—No, not in the least.

994. Then why did you say you had?—I did not say I had; I said, "Taking your previous remarks, I might have had."

995. Had you any doubt that you were acting for the Conservatives?—I did not believe it to be a Whig.

996. Had you any doubt that you were acting for the Conservatives?—No.

997. Had you reported to Mr. Edmunds from time to time?—I did not report to him.

998. Had you communications with Mr. Edmunds, or not?—I never had any orders from Mr. Edmunds to offer.

999. Had you communications with him?—Yes.

1000. Had you communications with him during the whole time that you were communicating with this illustrious stranger?—I had not.

1001. Did not you see him during that time?—I saw him pass during that time, and I touched my hat to him.

1002. I ask you, upon your oath, were you not in daily communication with Edmunds during the whole time that you were in communication with this stranger?—I used to see Mr. Edmunds very often.

1003. Were you not in daily communication with him, upon your oath?—I used to see him, certainly.

1004. Were you not in daily communication with him?—I cannot recollect whether daily; I saw him often.

1005. What did you mean by saying, first of all, that you never saw him, and then that you touched your hat to him, but had no communication with him?—I said, I had seen him on several occasions.

1006. What did you mean by swearing that you had no communication with him; I will have an answer to that if I stand here till midnight?—What answer can I give you?

1007. That is exactly what I want to know; what did you mean by swearing (and it is upon the shorthand writer's notes), that you had no communication with him?—I will not confine myself strictly to the words, "No communication."

1008. I will go away from that, because it will be a matter upon the notes, either one way or the other; were you telling lies to all the other 40?—No, I do not know that I told any lies to the other 40.

1009. When you offered them sums of money if they would vote for the Conservative party, were you telling them lies?—Did I tell you 40?

1010. You did?—It was very nearly 40.

1011. It may be 39 and a half, if you like; 39 and one wife; shall I take it 39?—I do not know the exact number.

1012. When you offered each of those parties something to vote for the Conservatives, were you cheating them; were you telling them lies?—I tell you, as I have told you before, that I went to these men for the purpose of knowing what the other side was offering.

1013. Then you were telling them all falsehoods?—I was not led to believe so by this stranger that I was telling them falsehoods.

1014. Did the stranger tell you to believe that they would be paid by him?—This stranger deputed me to see whoever I felt disposed; he did not mention any one particularly; he had an idea that I knew something about the electioneering proceedings.

1015. Did the stranger authorise you to pay the money, or did he only authorise you to offer it for a trick?—I do not know; he told me to offer it; I never saw any from the stranger.

1016. Then how do you know that it was a trick?—I never said that it was.

1017. You said it was only to find out the market?—It was for that.

1018. He never meant to pay them?—I didn't know whether the man would pay them or not.

1019. Did not you take money to some people?—I did.

1020. To a good many?—Yes, perhaps a dozen.

1021. In a bag?—No.

1022. How did you carry it; in a handkerchief?—No.

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1023. What in, then?—A man offered money to me in a handkerchief, but I did not pay him in a handkerchief.

1024. What did you pay it in?—I took it in my pocket to that man.

1025. But to other men?—I do not know that I paid a great many other men.

1026. I did not know that you paid any men?—I paid Pengelly.

1027. You showed money to a good many people, did not you?—I did not.

1028. To how many?—I do not know.

1029. About how many?—I do not know that ever I showed any.

1030. Will you swear you did not show it?—I will not swear I did not show it; I may have held out inducements.

1031. Did you show money?—Well, I did.

1032. Why did you swear that you did not?—I did not know that I did not. If you had put the question in a straightforward way; I do not understand at all how you are questioning; if you had asked me if I had paid money, I would have told you.

1033. Now that you say you might have shown money to several, "as many as a dozen," where did you get the money from?—From the stranger.

1034. Did the stranger trust you with the money?—He trusted me with the money to pay Pengelly.

1035. But the other 12 to whom you showed it?—I did not say that I took it to 12.

1036. You took it to a good many; where did you get that money from?—From the stranger.

1037. About how much at a time, in sovereigns?—Yes, the whole of it, I think; the whole I paid Pengelly was in sovereigns.

1038. Never mind Pengelly; leave Pengelly for the present, and come to what you showed to the others; they were sovereigns, were they?—And half ones.

1039. Did you give the stranger any receipt or acknowledgment of what you received from him, or did he trust to your honour?—I do not recollect giving him one.

1040. Did you give him no receipt?—No, I did not give him one. Would you kindly allow me to sip a drop of brandy?

1041. By all means. Have you any notion how much you received from this stranger?—For Pengelly, do you mean?

1042. From the stranger?—I beg pardon, Mr. Chairman, am I supposed to answer all these questions?—

Chairman.] Yes.

1043. Mr. Serjeant *Ballantine.*] Out with it. When did you first receive money from this stranger?—I did not put down the day of the month.

1044. How long before the election?—It may have been a week.

1045. How much did you receive the first go off?—£. 50.

1046. What did you do with that?—Paid it to Pengelly.

1047. Which Pengelly?—I do not know his Christian name.

1048. When did you receive any more money?—I cannot tell you when; not exactly the time.

1049. Did you the next day?—It is possible I may have.

1050. But did you?—I think I did.

1051. How much?—Some two or three fifties, I think.

1052. The following day, what did you receive?—I do not recollect.

1053. About three or four more fifties?—Say so.

1054. The following day?—But I was not mixed up with it day after day in the paying.

1055. Did you never return any of the money to the stranger?—I must have been silly to do that.

1056. Did you keep any for yourself?—I did not; he never gave me the chance.

1057. He gave you the chance?—But I did not choose to do it. I have always been honest in what I have had to do with electioneering affairs; Mr. Jeffery Michelmore knows that.

Re-examined by Mr. *Longfield.*

1058. Have you been employed for Jeffery Michelmore, previously, in the same sort of work?—Yes, but longer back; nothing to do with the last election.

1059. You said something about Mr. Edmunds; had you any communication with Mr. Edmunds about paying those men, or was it with the stranger exclusively?—With the stranger.

1060. The conversation with Edmunds did not relate to paying the money, but to other different matters?—I had nothing to do with Edmunds relative to money matters. There may have been conversation between Edmunds and me as to how things were going, but never in reference to money.

1061. When you offered the money, all you knew was that you could not pay it; you did not know whether it was to be paid by others?—I did not know it in this Edmunds' case.

1062. How many did you give money to in the election?—Well; I do not know the exact number; there were some few that had money from me.

1063. By the *Committee.*] Cannot you tell us about the number?—I do not know; it may have been 12; it may have been 14; still I saw 40, and made offers.

1064. Mr. *Longfield.*] Did those men that refused the money, tell you that they were offered money by others?—Yes; I will swear that Edmunds told me on the nomination day he was to see Michelmore the next morning, and any amount of money we offered they would outbid us.

1065. By the *Committee.*] I understand you paid money to 12 or 14 people?—Yes.

1066. Was that for their votes?—Yes, I suppose it was; I was deputed to do it by this stranger.

1067. To vote right; the way you wanted them to?—Yes.

1068. How much money did you have from this stranger, altogether?—Really, sir, I cannot tell you.

1069. Did not you keep any note of it?—I did not.

1070. Did you get money back from any of them?—I did.

1071. And were they men that voted the other way?—This Pengelly; I will be very candid in naming him; I paid him 50 *l.*, and he gave me a receipt as having received it from me to take back to the stranger, and on the morning of the nomination,

nomination, he met me on Totnes Bridge, and said, "I must return this money to you, for I can do better the other side."

1072. Did you take receipts from the other voters to whom you paid money?—No.

1073. What was the figures that you paid the others?—Really, I cannot tell; it averaged from about, perhaps, 20 *l.* to 50 *l.*; I am not certain on it.

1074. Did you render no account at all to this stranger?—No; not in the least.

1075. What was the first communication you had with him when you met him in the Star Hotel?—When I was called up stairs? He said, "Oh, is your name so and so." I said, "Yes." He said, "I am given to understand you know a little about electioneering games," with a smile, this gentleman said to me. I said, "Yes, I did." He said, "Well, then go to work; see so and so." He furnished me with a list, and I proceeded by his instructions to see these men.

1076. He gave you a list of the men you were to see?—Yes.

1077. Did he give you any limit as to the amount of offer you were to make them for their votes?—Really, I do not know; I am not clear on that point.

1078. You were to feel their pulse?—Yes; I had an unlimited amount of offer on the nomination day, when they found that the others were paying such fearful sums.

1079. You had liberty to offer it?—Yes; the figures were fearful.

1080. Have you ever had anything to do with elections before this in Totnes?—Yes; I could give you a splendid account of the Liberal proceedings from 1852.

1081. Have you always taken as active a part?—In 1852 I had some little to do with it. I recollect Mr. Michelmore's carriage returning covered in smut.

1082. Was money flying about in Totnes on previous contested election occasions, as there appears to have been on this?—I do not believe that the Liberals ever won an election without money.

1083. I do not want to know about Liberals, but was money going about?—Yes, I believe very large sums of money.

1084. And have you had to do with paying the money on previous occasions?—Yes, I have.

1085. To any large amount?—Somewhere about 50 *l.*

1086. Is that the market price in Totnes for a vote?—It used to be, but last time they were determined to win at any figures; last time I heard that they had actually got it up in basins, running up side by side.

1087. What trade was this man Pengelly?—A shoemaker.

1088. Can you give me the name of the other voters to whom you paid money; you said that you had given money to 12 or 14 voters; I want you to give me their names?—I know some of them.

1089. Who are they?—I paid a little to Baker.

1090. Do you know his Christian name?—I do not.

1091. What did he get?—I really do not recollect the amount.

1092. You did not take a receipt from him?—No, only one; that was from this Pengelly, and that was done because he looked a very doubtful man, and so he proved to be, for he returned it again.

1093. Is that William Pengelly?—The shoemaker.

1094. Anybody else besides Baker?—Pengelly.

1095. Anybody else?—I really have forgotten.

1096. I suppose you know all these men personally?—Yes.

1097. Tell us their names; you must know them?—Joseph Hanniford.

1098. Well, any others?—A man called Nicholls, a blacksmith.

1099. Any more?—I do not remember just for the minute.

1100. Try and recollect; if you had the poll books, could you look through and recollect the names?—I am not clear upon many of them. The only case I recollect distinctly is this Pengelly case, because I had his receipt. There are many others I did pay, but really my memory will not serve me just now.

1101. What was the mode of proceeding; did you see each of these men separately?—I used to call at their houses.

1102. At each man's house, and made the bargain with him?—Yes.

1103. There was no club, or anything of that kind, which divided the money?—I do not recollect anything of that sort; in fact if there was, I did not know of it.

1104. Were these men that you have given money to on previous elections?—I do not recollect; I think not. I may have had to do with paying money to them during the municipal proceedings before.

1105. Is money paid to the voters during the municipal proceedings?—Oh, fearful.

1106. How many years have you had a hand in the proceedings?—I should think some five or six years; I cannot tell to a year or two.

1107. When did the stranger disappear from Totnes; when was it you last saw him?—I never saw him after the nomination morning that I went to see Edmunds.

1108. That was the occasion when you offered Edmunds the 200 *l.*?—Yes.

1109. Had you any money in hand at that time?—Not a farthing.

1110. It was all expended?—It was all gone.

1111. What was the whole amount you received?—I really cannot tell you.

1112. Can you tell me about?—Well, it may have been 300 *l.* or 400 *l.*

1113. Have you ever seen the stranger since?—No, nor before, that I am aware of; you see, sir, that I cannot recollect every little incident that occurred during the proceedings.

1114. Had you any instructions from anybody to communicate with this stranger when he came to Totnes?—No more than from the waiter; the waiter told me he wanted to see me; evidently he must have been brought acquainted by some party or parties as to who I was.

1115. Had you no reason to know when the stranger was come that he wanted to see you on this subject?—I suspected, but I did not know all he was going to say before me.

1116. Has it always been done by a stranger in previous times?—What I have had to do with has.

1117. Strangers have appeared with money, and you have had the money and given it to the voters?—That has been the case with others; I could give names in the town of past affairs.

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1118. Did you act upon the Liberal side at one time?—Yes.

1119. And at that time was money going in the same way?—Just the same; I do not mean to say that the figures were anything to the amount that they were on this last occasion; but I know one thing, that very little has been done but what there was money spent on their side ever since I have known anything of it.

1120. There is a class of voters in Totnes who always take money, according to your experience?—There are a great many that take money, and a great many that cannot, because they are bound to follow the chains.

1121. How was it you acted on the Conservative side this year, having acted on the Liberal side before?—Because, as far as I am concerned, living at home with my father, of course I have a direct interest in his business, and the governor chose (what caused him to do so I cannot enter into) to go into the Conservative influence some two or three elections back. As soon as the Duke of Somerset's stewards found that he had gone over to the Conservative side, they even denied their peasant labourers coming to our house to have a paltry keg of cider filled by us, and that is why I would not have anything more to do with that side.

Mr. *Longfield* requested the Committee to ask the witness to explain a previous answer in which he had talked about men being "bound to follow the chains."

1122. By the *Committee.*] What did you mean by saying that a great many cannot take money because "they are bound to follow the chains"?—It is a slang phrase in Totnes. The Duke can say that they must do his bidding, and then we call them "slaves bound in chains."

1123. These are the tenants?—They are the tenants.

1124. Did you ever see this stranger of whom you have spoken in company with any one in Totnes while he was there?—Never.

1125. Always alone?—Always alone. In fact, I believe I may positively swear that I never saw him in the streets. When I was speaking to the gentleman opposite relative to the introduction, what I meant was this, that I was sent for at the bridge, and I went into the "Seven Stars," and he was generally to be seen there whenever he wanted me; he was then always at the "Seven Stars."

1126. You do not know his name?—I do not; and I should hardly know him.

1127. Would you know his appearance now?—I should not positively.

1128. Was he disguised?—He had a wig on.

1129. Was that for the purpose of disguise?—I cannot say.

1130. Will you swear you would not know his appearance?—I am not certain.

1131. What do you think?—I think I should not. What I meant by saying he was like the learned gentleman was that he had a wig.

1132. It was not a wig like that?—Oh, no.

1133. You say you paid 12 or 14 men, but you offered money to 40; did the 28 or 26 men refuse your bribe?—Yes, because they said they could do better the other side.

1134. You attempted to bribe 40?—I do not think I said that.

1135. You offered money to 40?—About 40.

1136. And 50 *l.* was about the largest sum you paid to any one man; do I understand that?—On the last occasion I believe it to be so.

Chairman.] You have told us a good many things that may subject you to inconvenience elsewhere; but perhaps you are aware that we have the power to give you a certificate of indemnity?

Witness.] I intended to make an application for it.

Chairman.] The clerk will prepare it for you.

[The Witness withdrew.

Mr. *Longfield* stated that if the Chairman had not already said that the Committee would give this Witness an indemnity, he (Mr. Longfield) would have applied to the Committee to do so.

Mr. *Longfield* applied to the Committee to grant an order for the attendance of the sub-manager of the Consolidated Bank, Fenchurch Street, to attend the Committee immediately.

The Committee acceded to the application.

Mr. Robert Muggeridge was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

Mr. *R. Muggeridge.*

1137. Where do you reside?—At Totnes.

1138. What are you?—A Hay Dealer.

1139. Who is your landlord?—Mr. Chaster.

1140. Are you a voter for the borough?—Yes.

1141. Do you remember the last election?—Yes.

1142. Did you see Mr. Chaster some few days before that election?—Yes.

1143. Had he any conversation with you about the election?—He had, about a few minutes.

1144. Did he say anything to you?—I asked him how the election was going on?

1145. Did he say anything?—He did not make any answer; he did not make any speech; not of any words.

1146. Did he ask you how you were going to vote?—No.

1147. Did you say anything to him about how you intended to vote?—Yes.

1148. What did you say?—I said, "Sir, I will vote for you this time if I can get 100 *l.*"

1149. You meant the party, I suppose, to which he belonged?—Yes; Mr. Pender and Mr. Seymour.

1150. What did Mr. Chaster say to that?—He said, "Do not you make use of my name about any money affairs."

1151. Anything more?—No; I said, "If I can get 100 *l.* I will vote for you."

1152. Did he say anything more to you at that time about seeing you paid, or anything to that effect?—He said, whatever I was promised he would see that I should be paid.

1153. Did you see, some three or four days after that, a Mr. Jeffery Michelmore?—Yes.

1154. How long was that before the election?—About three or four days.

1155. In whose company was Mr. Jeffery Michelmore?—I believe with Mr. Seymour.

1156. Where did you see him?—At Plymouth-road.

1157. Was there a carriage?—Yes.

1158. At

1158. At whose house was it stopping?—Mr. Boardman's, on the road at Southgate.

1159. Is he a voter for the borough?—Yes.

1160. Did Jeffery Michelmore get out of the carriage?—Yes.

1161. Did he call you to him?—Yes.

1162. What occurred between you then?—Mr. Michelmore said to me, "Muggeridge, how are you going to vote this time?"

1163. What was your reply; did you say anything to him?—My reply was this, "Mr. Most."

1164. What did he say in reply to that?—Well, I said that I would see Mr. Turpin at Weston.

1165. Who is Mr. Turpin?—A farmer under the Duke of Somerset.

1166. Did Michelmore say anything about seeing him also?—He said he would see Mr. Turpin also himself.

1167. Before you saw him or after?—I cannot tell you.

1168. But he said he would see him himself?—Yes.

1169. Did he say anything more?—No.

1170. Do you remember the nomination-day; the day of nomination of the candidates?—Yes.

1171. Before the polling-day?—Yes.

1172. Did you go to pay your rent that day to Mr. Chaster?—I did, in the afternoon.

1173. Who did you see there?—I saw Mr. Chaster and Mrs. Chaster, and Miss Chaster, his wife and sister.

1174. Mr. Chaster's sister?—Yes, his own sister and his wife.

1175. Did you go with them?—Yes.

1176. Did you go to Mr. Turpin to Weston?—I went to Mr. Endel's.

1177. Is that near Mr. Turpin's?—Yes.

1178. What occurred then?—Mr. Turpin was sent for.

Mr. *R. Muggeridge.*

1179. Did he come to you?—Yes.

1180. Did you know him before?—Yes.

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1181. Did you go out to speak to him then?—Yes.

1182. Tell the Committee what occurred between you and Turpin about the election?—Well, when I came out, Mr. Turpin told me he could get 100*l.* for me in the morning by 9 o'clock; that is, to vote for Messrs. Pender and Seymour, if I would vote at 8 o'clock, and meet him at the Seymour Hotel at 9.

1183. By the *Committee.*] Eight o'clock, you say; that was when the poll opened?—Yes, but I did not vote.

1184. Mr. *Longfield.*] Did you accept that offer at the time, and subsequently refuse it for another?—I accepted it the night before, in the way of the words of his mouth.

1185. But you did not vote for them?—No.

1186. You voted for Messrs. Pym and Dawkins?—Yes.

1187. By the *Committee.*] Have you ever voted before?—Yes.

1188. Which way have you voted?—Always for the Tories.

1189. Did you get anything for voting this time?—No.

1190. Nothing at all?—No.

1191. What became of "Mr. Most"?—I was too late; I could not get none.

1192. You say you were offered 100*l.*?—Yes.

1193. Was not that "Mr. Most"?—Yes, it was "Mr. Most," but I was doubtful whether I would get it.

1194. You say you did not accept the 100*l.* that was promised you, because you did not know you would get it; did you say that?—Oh, no.

[The Witness withdrew.

Mr. Robert Harris was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

1195. Where do you reside?—At Totnes.

1196. Are you an Elector of that borough?—I am.

Mr. *R. Harris.*

1197. And I believe always took the Conservative side there?—Yes.

1198. It has not been very fortunate in Totnes; did you take an active part in the elections?—I have for the last two elections, Mr. Dent's and the last general election.

1199. What business do you follow?—A Land Agent.

1200. Are you an Accountant as well?—Yes.

1201. Do you remember the circumstances connected with the last election?—I do, well.

1202. Who are the persons who were most active in canvassing for Messrs. Pender and Seymour; name some of them?—Charles Frederick Michelmore, William Fabian Windeatte; those are the two solicitors; George Powell, Thomas Searl, junior, and Jeffery Michelmore.

1203. All three Michelmores are nearly related to one another, are they not?—I do not remember seeing Mr. Thomas Michelmore, that is the senior, the Duke's steward; it is Thomas Michelmore & Son; Jeffery Michelmore was the active man; that was the Duke's steward.

1204. Did you see those parties canvassing together during the election?—Repeatedly.

1205. Were you canvassed by Mr. Pender, one of the sitting Members?—I was; he called at my house first, and I went in two or three days before the election; I was on plain speaking to a man called Pitts, an elector; Mr. Pender came down the walk close by the Wesleyan Chapel, and came over to me and said that he had called at my house and left his card, and asked me if I would support him; I said that that was rather a bold question to put to me; I asked him the reason why he did not effect a compromise, or had not agreed to effect a compromise, about terms, as it was impossible for him to get in without he extensively bribed the electors, as the majority of the electors were Conservative, and that it would be much better, for the sake of the inhabitants as well as of himself, if he could induce the Duke of Somerset to withdraw his candidate and accept him as his candidate. Mr. Pender said, "It is a notorious fact that the borough is corrupt;" but, that he had this one consolation, that where he had to bribe one the Tories had to bribe two. He said, "A man of your ability ought to be doing something better than being here at Totnes getting the small stipend you are receiving, and if you leave Totnes, I will get you a situation worth to you 300*l.* a-year." "Get," or "give," I am not certain which, it was one or the other. I said, "Mr. Pender, no situation would induce me to vote for you, inasmuch as my present employer is a Conservative, and I have been very handsomely paid for the services which

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which I have rendered, and I have no occasion to complain on their side."

1206. Anything further?—I suppose the conversation lasted a full half-hour. He was speaking of the general corruption of the borough, and he said that I must bear in mind that he had a certain number of the electors, namely, the Duke of Somerset's tenants, that he could bring to the poll without paying, and consequently he had an advantage over the Conservative candidate. He could bring a certain number of the Duke's tenants to poll without bribery, and therefore he had an advantage over the Conservative candidate. I said that I endorsed that opinion, because that was the fact; that I considered that, according to my calculation, there were about 125 electors to be bribed; 75 on the Conservative side and 50 on the Liberal side.

1207. By the *Committee.*] One hundred and twenty-five bribable?—Yes, that is what I said.

1208. They would go any way they were paid for?—Well, I do not know that; we were talking about that; I said, "Those that are Conservatives will, if you pay them," and I mentioned the names of several of those on his side that would vote on the Conservative side if we would pay them; I mentioned the name of Mr. Matcham, who had been to me; he came to me and I told him about it; I said that he had been to me.

1209. Mr. *Longfield.*] You mentioned his name as a man that was open to that?—Yes, as a specimen of one of their sort.

1210. Was he one of the 50 or of the 75?—He was one of the 50. Although he had previously signed the requisition to Mr. MacBray and Mr. Dent to support them, yet, from information I had, he was going to vote on the Liberal side without us giving two hundred guineas.

1211. By the *Committee.*] Did he tell you so himself?—Yes; I told him that this Mr. Matcham had been to me, as a specimen of the corruption that was going on in the borough. I hoped he would endeavour to effect a compromise, and to get Colonel Dawkins returned with himself. I had no objection to Mr. Seymour, but I thought that Mr. Pender, having plenty of money, was the best man capable of representing the borough.

1212. Did you tell Mr. Pender what Matcham had said?—I did.

1213. Did he make any remark on that?—He said that corruption was going on to a large extent, and that when he came down with the Jews he had to do as the Jews did.

1214. By the *Committee.*] Who said that?—Mr. Pender said that. When I told him about Matcham, he said, "When I came down with the Jews I had to do as the Jews did."

1215. Mr. *Longfield.*] Who are "the Jews" he alluded to?—I thought he must mean the people that were bribed. He came down with pure intentions, but after he got into the borough he found it so corrupt that he was compelled to adhere to that.

1216. Did he say anything about your voting or withholding your vote?—Just as he was about to leave, a young person named Windeatte was approaching.

1217. Who is that?—The young Windeatte, Thomas White Windeatte; he is a solicitor now, he was an articled clerk then; his father is dead.

1218. Was his father conducting agent?—Yes. He came down the walk, and was coming towards Mr. Pender, and Mr. Pender said, "Well, Harris, I hope you will not work against me, and after the election is over you shall have a situation." I said, "Thank you, sir, that is a matter I will consider." It was either, "I will give you," or "get you" a situation; I will not be positive as to the words "give" or "get." I went home and conversed with my family, and, to my surprise, I found that a person had been to my wife authorised by Mr. Pender, so she said——

Chairman.] We cannot have that.

1219. Mr. *Longfield.*] Do you know Mr. Michelmore's handwriting?—Charles Frederick Michelmore's?

1220. Look at that bill (*handing it to the Witness*) with "Alfred Seymour," at the top, whose writing is that?—I cannot say I could make an affirmation; I do not know that I could swear to it. I think that is Mr. Jeffery's. Will you allow me to see it again (*Mr. Longfield handed it to the Witness*). I could almost swear that is Jeffery Michelmore's handwriting.

1221. Turn on, and see if you know the handwriting of the next?—I am not certain; I think it is Mr. Jeffery Michelmore.

1222. Do you know a man of the name of Fox Green?—I do, very well.

1223. Had you any conversation with that man after the election, about what he got?—Previous to the election he came to me to borrow some money, 10 *l.* first; this was about January, and he said, "Well, if you will lend me 10 *l.*, I have been out on the drunken game for a long time, if you will lend me 10 *l.* I shall be much obliged; I will vote for your side."

1224. I am asking you about some conversation which happened about the election time?—I met him a good many times; one day on the bridge I saw him; I think it was about a month or six weeks ago, I am not certain as to the time, and in the course of the conversation speaking of votes, I said "Where did you get that note"? I understood he had a lot of notes; he said, "I have not got no notes; mine was all in sovereigns that I had."

1225. Was that chaffing or earnest?—I took it to be in earnest; at any rate there was a man present. I said to Mr. Williams, who was present, "You hear that?" John Williams, Dr. Hayne's servant, was present, and I said, "I may tell you that I shall make mention of that fact if I am called before the Committee."

1226. He had it all in sovereigns, he said?—Yes.

1227. Was he drunk at that time?—Perfectly sober; in fact, he told me that he had been a teetotaller then for a fortnight or three weeks; he was perfectly sober at that time, there is no doubt in the world of that.

Cross-examined by Mr. Serjeant *Ballantine.*

1228. Are you the gentleman they call "Loppy"?—I am, if you, as a gentleman, like to call me so, I bow to your pleasure.

1229. Do not bow to me at all?—I had an affliction when I was young.

1230. I only asked you whether you were called Loppy?—Yes, I was, on account of an affliction I have in my leg.

1231. I only wanted to know the fact. If I understand this transaction with Mr. Pender, he promised you an office if you would vote for him?—Yes.

1232. And you did not vote for him?—I did not.

1233. You

1233. You refused to vote for him on any terms?—Yes, I did.

1234. He promised it you again, did he?—He said, "After the election is over, Mr. Harris, you shall have a situation."

1235. And did you afterwards apply for the situation?—I did, on consideration.

1236. You thought that virtue ought to be rewarded?—Oh no.

1237. Why did you apply; upon what ground; if he proposed to give you a situation for your vote, which is what you say, how came you to apply if you voted the other way?—He said, "Oh, it does not matter about your voting; after the election is over I will get you the situation." I said, "That is another consideration, sir."

1238. So you were to get the situation for voting against him?—I do not know that.

1239. Was that your view of it?—I do not know that.

1240. He knew that you were going to vote against him?—Yes.

1241. You applied for the situation?—Yes.

1242. And he said it was a parcel of lies?—I have the note here.

1243. Why was he to give you a situation?—He did not assign any reason.

1244. Cannot you give any reason?—He said, "A man of your ability ought to be out of Totnes; after the election is over I will give you a situation"—"give," or "get," I cannot say which was the word.

1245. Although he knew you were going to vote against him?—I distinctly told him that no consideration would induce me to vote for him.

1246. This is your letter (*the Witness looked at the letter*)?—Yes.

Mr. *Longfield* stated that he objected to this evidence, if it was proposed to produce the letter as part of the case on the side of the Petitioners.

1247. Mr. Serjeant *Ballantine.*] Is that your handwriting?—It is.

1248. Is that also (*handing another letter to the Witness*)?—No, it is not.

1249. That is the only one in your handwriting?—No, there are two in my handwriting; one dated 27th July, and one dated 20th July.

1250. And he answered those letters?—He only answered one; he answered the first.

Mr. Serjeant *Ballantine* now submitted that he was entitled to put this letter in as part of the case of the Petitioners.

Mr. *Longfield* submitted, that inasmuch as the letter came out of the possession of the sitting Member's counsel, and not out of the possession of the Petitioners, it could not be put in now as part of the Petitioner's case.

The *Chairman* stated that Mr. Serjeant Ballantine could not use it as part of the Petitioner's case.

1251. Mr. Serjeant *Ballantine.*] Are you the person who was plaintiff in an action against James Lewis. Look here; here is an extract from the "Daily Mercury;" you have heard of the "Daily Mercury"?—Yes, I have.

1252. Just look at that?—I do not know anythink about that.

1253. Take it in your hand?—

Mr. *Longfield* stated that if Mr. Serjeant Ballantine put this in, he should insist upon his putting it in as part of the case for the sitting Members.

1254. Mr. Serjeant *Ballantine.*] I want you to look at that (*handing a paper to the Witness*). You have looked at it, have you?—Yes.

1255. You have heard of the "Daily Mercury"?—Yes.

1256. Are you the party that was plaintiff in an action against James Lewis?—

Mr. *Longfield* objected to the question.

1257. Mr. Serjeant *Ballantine*] Are you Robert Harris, and were you plaintiff in a case against James Lewis?—My name is Robert Harris.

1258. Now I ask you were you plaintiff in a case against James Lewis?—I know nothing about it.

1259. You know I am trying your credit; now do you mean to swear that you know nothing about it?—Know nothing about what?

1260. The case of Harris against Lewis?—I do not know anything about it; where and when?

1261. Just give me an answer. Do you mean to swear that you do not know what I am alluding to. Do you mean to swear that you know nothing about the case of Harris and Lewis?—I know nothing detrimental to anyone.

1262. Do you mean to swear that you were not plaintiff in an action against a man called Lewis, in the county court at Totnes, before Mr. Fortescue the judge?—Well, many years ago.

1263. It was 1861?—Yes; I thought you meant something now; oh yes.

1264. You remember it now?—I remember the circumstance; I do not know the particulars of it.

1265. No, I am sure; I am going to remind you of them; but you remember the fact?—I really do not remember the fact.

1266. Do not you remember being the plaintiff?—I do remember something about it.

1267. Have you any doubt that you are the Robert Harris?—I have no idea.

1268. Wait a minute?—I do not know that I am the Robert Harris referred to there.

1269. Are you the Robert Harris that brought the action against James Lewis?—I cannot say that I am the individual there referred to.

1270. That you swear?—Yes.

1271. Is that as true a statement as your other statements?—I am not certain that I am the Robert Harris.

1272. Perhaps I can help you; it was an action for 3*l.*, does that aid your memory?—I think there was an action of that sort there; I do not remember the circumstances.

1273. But you were present and gave evidence?—It is more than probable that if I brought the action, I gave evidence.

1274. So I should think; you and I are agreeing now; you were a witness?—No doubt I was a witness if I brought the action.

1275. Did the judge say that the action was most disgraceful, and did he caution you against practising such things again, or you would find yourself in a very disagreeable position?—I do not remember anything of that sort.

1276. You will not swear that it never took place?—Not to my remembrance.

1277. Do you mean to say that if you were told you had brought a most disgraceful action you would forget it?—I did not hear it to my recollection.

1278. Will you swear that Mr. Fortescue did not say so to you?—It is quite new to me; I never heard of such a thing, that I know of.

1279. Did not the judge tell you that you had

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obtained the note by fraud?—Certainly not; not to my recollection.

Mr. *Longfield* objected to the line of cross-examination.

1280. Mr. Serjeant *Ballantine.*] I ask you whether you were not charged with obtaining the note by fraud, and whether the judge did not say that you had?—I do not remember that.

1281. Will you swear that he did not?—I will not swear that he did not.

1282. Do you mean to tell the Committee that if a judge told you you had obtained a note by fraud, it would have escaped your memory?—I am on my oath, and I am stating what I believe to be true.

1283. You mean that such a circumstance might have escaped your memory?—I do not believe that ever it occurred, not to my knowledge.

1284. Will you swear that the judge did not say this to you?—Of course I do not know that I can swear. I will say positively that I do not remember a single thing about it.

1285. You belonged, did not you, to some society or congregation of Wesleyans?—Yes.

1286. Were you turned out for falsehood, and for being a person entirely unworthy of credit?—Certainly not.

1287. Were you turned out?—It was a suspension of the ticket.

1288. What kind of suspension do you mean?—I would explain to the Chairman that (I think it was about five or six years ago) I was an agent for the Whittington Society. The Whittington Society brought an action against me, for money which they said was due to them, and which I said was not due. The lawyer, Mr. Burnell, of London, issued a writ and a bankruptcy fiat. I instructed Mr. Edmunds, the gentleman sitting there, to put an appearance to the writ; and I also instructed a solicitor, in Exeter, to answer the fiat in bankruptcy. I was at that time a member of the Wesleyan Society. I communicated the whole of the facts to my leader, as he was then, and he called what was called a leader's meeting, and there were two members present, and the chairman; and they said that, under the circumstances, or considering something that was about to transpire, I had better have my ticket for the time being suspended. The ticket was suspended. After the action was over John Meshant, esquire, called upon the company to fix an arbitrator, and instead of my being in their debt, the company was 130*l.* in my debt; and the result was, that immediately the action was over, the circuit minister came to me, and invited me back again. However, I refused; and from that time I sold them the little chapel which I built, at Harberton, and I now carry on a congregation at Staverton.

1289. What do you mean by "carrying on a congregation"?—I was invited by the friends at Staverton. When I was with the Wesleyans I was a local preacher; and when they asked me to come back again, I refused to do so; and the people at Staverton, on account of their being short of hands, had to give up their congregation. They asked me to come back again to them, to be their teacher, and I have been so up to the present time, up to last Sunday.

1290. Now, you have told a very long story; but I ask you whether the terms of this resolution were read out to you: "That in the opinion of this meeting, Brother Harris is so much accustomed to trifle with truth as to be quite unfit for a place." Was that put to the meeting?—No, certainly not.

1291. Was not that put to the meeting?—No, certainly not, not to my knowledge.

1292. Do you mean to say that you have never seen that?—Never.

1293. Have you never heard that before?—I never heard that before.

1294. Do you mean to say that you never heard of that till this moment?—Yes. I am on my oath, and that I swear.

1295. Now, there was an inquiry, was there not?—Yes.

1296. There was an inquiry as to your truthfulness, was there not?—No.

1297. There was not?—No, certainly not.

1298. Now, I ask you, do you not know that that was put, and carried unanimously?—Not to my knowledge; I was not present if it was.

1299. Now, just let me quite understand. You know the Rev. Mr. Trethoa, do you not?—Yes.

1300. He was the chairman of the meeting, was he not?—Yes, he was the chairman.

1301. And you also know Mr. George Bennett?—Yes.

1302. And they were both present at the meeting?—At the meeting.

1303. Now I ask you again whether it was not carried at that meeting, "That in the opinion of this meeting, Brother Harris is so much accustomed to trifle with truth as to be quite unfit for a place?"—No, I never heard of that till this moment.

1304. I ask you, will you swear that that was not read out to you?—I have sworn once, and I make the assertion on oath, that I never heard of it till this moment.

1305. Do you make the assertion on oath that that very matter was not read over to you?—Certainly not.

1306. You say "Certainly not"?—Certainly not; not to my knowledge; if it was, I do not remember it.

1307. But you must remember if it was read over to you; you must remember it if it was done?—Well, I do not remember it; it was several years ago.

1308. I ask you again, will you swear that it was not read out to you?—I could not positively say that it was not, but I do not remember it.

1309. Now, am I to understand you positively to say that it was not read out to you?—Yes, I guess you might.

1310. You, of course, perfectly well understand what I mean?—Oh, yes, I understand you distinctly.

1311. You say that you understand me distinctly; I therefore apologise for asking you, will you swear that those very terms were not read out to you?—Not to my knowledge; they were not read out to me, to my knowledge.

1312. Will you swear that they were not read; never read?—I cannot say never.

1313. Will you swear that those very terms were not read over to you at that very meeting?—I never heard of them till now.

1314. Then you will not swear that they were not read over to you?—Well, you know, I might not have been present if they were read.

1315. But I mean read in your presence?—No,

No, certainly not; not to my knowledge. I never heard such a thing mentioned before.

1316. I ask you again, do you mean to swear that this very matter was not read over to you at that meeting?—Well, I am quite confident that I never heard of such a thing till this moment.

1317. Will you swear then that it was not read over to you?—I never heard of it till this moment.

1318. Then you will swear that it was not read over to you?—Well, it might have been, but I never heard it.

1319. Did you never take the trouble of inquiring about the minute upon which you were turned out of the congregation?—No.

1320. You never took the trouble of making any inquiry upon that subject?—No. I was asked to come back; I was asked to come back repeatedly within the last three or four years.

1321. But you defended yourself before them, did you not?—I told them the whole of the circumstances.

1322. And then they came to a conclusion?—I do not know what conclusion they came to.

1323. And you never have asked what conclusion they came to?—No, I understood; the superintendent told me afterwards; I had to adjourn; I had to leave the meeting at the time; the superintendent told me that they suspended the ticket for the time being till the action was brought.

1324. You have a letter from Mr. Pender?—Yes.

1325. Just be good enough to hand that to the Clerk?—Yes (*the Witness handed the same to the Committee Clerk*).

Re-examined by Mr. *Longfield.*

1326. Now, who were at the meeting which has been referred to?—I remember those two, Mr. George Bennett and the Chairman.

1327. Who else?—I do not remember. If I had known that this was going to be brought up, I could have taxed my memory. I do not remember, really.

1328. How many years ago is it?—Well, it is five or six years ago.

1329. Was it not a question of your fitness in connection with your solvency?—Yes, they thought it better for the time being; that if I was made a bankrupt it might bring odium upon them till I cleared myself: and I did clear myself, and I had 130*l.* myself.

1330. Is it a rule of the Wesleyans that in the event of one of their body being about to become a bankrupt they get rid of him beforehand, in order to get rid of the odium?—Yes.

1331. Then have applications been since made to you to resume your office in that body?—Yes; I built a chapel for them at my own expense, and handed it over. They have bought a chapel of me since; Mr. Bowden. With respect to my bankruptcy, it was left to Mr. Messer in London; it was left to him. They produced their evidence and I produced mine, and the result was that I had 130*l.*, besides the money that was due.

1332. And since you became solvent, they solicited to get you back again?—Oh, repeatedly.

1333. And you thought they had treated you badly, and would have nothing more to do with them?—Yes, I see nothing to leave my Staverton people.

1334. You say that at the meeting they did not read out the resolution that my friend has referred to?—No; I never heard of it till this moment.

1335. Now as to that alleged assertion of Mr. Fortescue's, when did that occur?—It was several years ago. I do not know, I am sure, how many years ago it was.

1336. Do you recollect sufficiently of the circumstances to be able to tell the Committee that such a remarkable fact as that took place?—I never heard of such a thing before.

1337. By the *Committee.*] About this man Matcham, how came he to come to you to ask about this matter?—Well, before the election a great many of the Radicals came to me to ask me for money, thinking that I had something to do about money matters, and when Mr. Matcham came to me, he said, "Harris, if you will give me 200*l.*, Tom and I, we will vote your side." I said, "Mr. Matcham, you signed the requisition the other day; what do you think I have to do with money; I have nothing whatever to do with money transactions." I said, "If you want to have anything at all to do with that, you must ask other parties." I saw him the night before the election; I said to him, "Have you seen anyone about the 200*l.*?" "Oh, yes," he said, "all right, I am going to vote that side." The next morning in came these men; I was sitting at the time. Mr. Pender was there half-an-hour during the time of the election in the polling-booth, and I said, "Do you think those men can take their seats after voting for you there and then." They came in the first batch that came in the morning. A man named Searl came in with them. He was the man that told me the night before that he was going to vote for them all right. I thought he had the money by that; he said that his son Tom——

1338. I want to know about what Matcham did?—I have told nothing but the truth.

1339. How did Matcham vote?—He voted against. Mr. Matcham told me one day this week, "I voted against Mr. Pender because——" I am not here to tell any untruths.

1340. You told me that you thought there were about 75 Conservatives and 50 Liberals who were bribable?—He told me that where he had to bribe one the Tories had to bribe two. I said, according to my recollection, there were 75 Conservatives to be bribed and 50 Liberals.

1341. Have you a thorough knowledge of the constituency?—Well, I was born and bred there.

1342. You know all the people about there?—People have had scores and scores of money; there is not a person, I will venture to assert, not 50 in the whole borough, that vote without a consideration either directly or indirectly.

1343. Did Matcham vote for the Conservatives?—When I went to Mr. Macklay they all signed in a moment. There was a man called Pengelly, he signed. Wright, he signed, and Green signed, and everyone signed in my presence. I was frightened to see these men coming in in the booth in the morning, and I said "Mr. Pender, can you honourably take your seat after these men voting." He joked there and said, "There is my son," intimating that if he was turned out his son would come: that was in the polling booth.

Mr. Samuel Heard was called in; and, having been sworn, was Examined by Mr. *Longfield*, as follows:

Mr. *S. Heard.*

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1344. Where do you reside?—At Totnes.

1345. You are a voter for that borough?—I am.

1346. What is your occupation?—I am a smith by trade.

1347. You know the borough and the people in it tolerably well?—Yes.

1348. Were you there at the last election?—I was.

1349. Do you know a man of the name of Elliott?—Yes.

1350. Were you canvassed by anybody to vote for either of the candidates?—Yes.

1351. Who canvassed you to vote?—What do mean?

1352. Asked you to vote for anybody; were you asked to vote for Pender and Seymour?—Yes, they asked me themselves.

1353. And what did you say to them?—I told them I was going to vote for Colonel Dawkins and Pim.

1354. Did you see a man of the name of Elliott there, or Farley?—I saw Farley.

1355. Did you have any conversation with him?—He kept the Bridge Inn.

1356. Did you see him before the election at all, to have any conversation with him?—No.

1357. Had you any conversation with Farley about the voting?—Yes.

1358. Now what was it?—He asked me what I was coming over to his house for so many times; I said, "Like all the rest." He asked me what I went for over there so many times; he said, "Holloa, what are you about over here so many times?"

1359. Well?—"Looking after what all the rest is," I said.

1360. Did he seem to understand you, what you meant by that?—Yes.

1361. What did he say?—He asked me if he could do anything for me.

1362. What reply did you make?—He walked off then, and went across the street.

1363. Where did you see him go?—I saw him go into Mr. Prout's house.

1364. Who was that?—Clerk to Mr. Michelmore, the Duke's agent.

1365. Was he there a long time?—Well, two or three minutes.

1366. Now, did he say anything to you when he came back?—He said, if I voted for Pender and Seymour, he would insure me 150 *l.* for it, as that was the market price.

1367. By the *Committee.*] What day was this?—The morning of the election.

1368. The morning of the polling, or the morning of the nomination?—The morning of the polling.

1369. Mr. *Longfield.*] Well, what else occurred?—I said that was not enough, according to the market price.

1370. You said that it was not enough?—Yes.

1371. And did you tell him what this market price was?—No, he went to see if he could get 200 *l.*

1372. He went a second time?—Yes.

1373. To Prout's?—Yes.

1374. Did he remain there long then?—No.

1375. What happened when he came back?—He said if I liked to go over and wait for Prout coming in, he would insure me the 150 *l.*, but he could not the 200 *l.*, as Prout was the man that had the money, as he was the purser.

1376. Did anything more take place between you?—No.

1377. In fact, you refused it?—I walked away.

1378. And you voted for the other party, did you?—I did.

Cross-examined by Mr. Serjeant *Ballantine.*

1379. And I am quite sure from your appearance, that you did not have a farthing for that?—I did not.

1380. You refused the 150 *l.*, and went in for nothing; would you have taken 200 *l.*?—I do not know.

1381. Well, what do you think?—What do you mean; "what do you think"? I should not have voted for him at all.

1382. What should you have done if you had got the 200 *l.*?—I should not have taken it.

1383. You never had a doubt about it, had you?—Oh, yes, I had.

1384. What was your doubt?—Because I get my living principally by the Conservative party, and I stick to them.

1385. But you got nothing by them this time?—No.

1386. What are you?—I am a cab proprietor.

1387. Were you employed with your cabs at all?—Yes.

1388. By the Conservative party?—By the Committee.

1389. And I suppose that is probably well known?—Yes.

1390. Now when they came and offered this, there was no concealement about it, when they offered this bribe?—Who do you mean?

1391. Mr. Farley?—Yes.

1392. There was no concealment about it; it was quite open?—Oh, yes.

1393. He made no concealment about it; he did not tell you to be quiet or anything of that sort?—I do not rightly understand you.

1394. What made you go to Farley?—I went in to have a glass of ale; I had a glass of porter and a bottle of ginger-beer.

1395. Is that all you went for?—I went in to see what I could see.

1396. But that was not the glass of ale, was it?—I drank a glass of porter and a bottle of ginger-beer.

1397. Was that the ale that you went in for?—I went in for the ale.

1398. And for no other purpose?—No.

1399. Not at all to know how much you could get?—No.

1400. Now what did you mean by saying, when you were asked why you came so often, that you came for the same as others?—Because I had been in and out so many times that day and the day before.

1401. What did you mean by the observation that you came like the others?—Because I heard they were giving a great deal of money, and I was willing to know what the amount was.

1402. Not with any view of taking it?—No.

1403. But merely as a friend to propriety at elections?—No; to satisfy my own opinion.

1404. But

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1404. But why did you want to satisfy yourself about it?—Because I took a little interest in the Conservative side.

1405. Then you went, in fact, as a spy?—No, I did not.

1406. What then?—I did not go in for a spy.

1407. You went in to find out what was going on on the other side to let your party know it?—I had no intentions of it then.

1408. You intended to keep it to yourself, did you?—No, I do not know that.

1409. Well, what did you intend to do with it when you got the information?—I had no intention of any kind at the time.

1410. But you went several times, you know?—I went several times the day before.

1411. You gave yourself a great deal of trouble?—Yes.

1412. And you had no motive?—No, not without it was that time.

1413. Now, where does Prout live?—At Bridgetown.

1414. Now, you said that you saw Farley go into Prout's house?—Yes.

1415. Where were you then?—I was in the little bar place and I could see through the window.

1416. Where?—In Farley's house.

1417. How far is that from Prout's, Farley's house?—Seven or eight yards; just across the road.

1418. By the *Committee.*] Have you ever voted before at a borough election?—Not for the borough; always for the county.

Mr. WILLIAM REEVES was called in; and, having been sworn, was Examined by Mr. *Bankes*, as follows:

Mr. *W. Reeves.*

1419. ARE you an Elector of Totnes?—Yes.

1420. Did you sign a requisition for the Conservative Candidate to come down?—No; I was asked by Harris, the Conservative agent, to sign it. I refused to sign it. He then said, "Sign it, if you vote the other way." He said, "We must have a fair address, otherwise we cannot get up an opposition."

1421. Under those circumstances you signed it?—Under those circumstances I did not.

1422. You were going to explain something?—He turned over the blank paper, trying to get my name there, but it was no use.

1423. Then you did not sign at all?—No.

1424. Now, do you know a person named Narramore?—I know plenty of that name.

1425. Do you know one living at Stoke, some distance from Totnes?—Yes, he is an uncle of mine.

1426. Now, did you go down to see your uncle before the election?—Yes, I was there 15 years ago.

1427. But were you there a little later; 15 days before the election?—My uncle did not live there then.

1428. But does not your uncle live at Stoke now?—No.

1429. Did you go down to Stoke just before the election; the Sunday before the election?—What Stoke do you mean? there are five or six.

1430. Stoke Fleming?—I will remember presently. I passed through there.

1431. When did you pass through there?—I cannot say; some time before the election.

1432. Did you stay there some time before the election?—No; I had a glass of ale at a public house.

1433. When was that?—Some time previous to the election; I do not know when.

1434. Do you remember where you were on the Sunday before the election?—I do not take notes of things so particular as that.

1435. Do you remember that you were not at Stoke?—I remember that I have not stopped at Stoke Fleming within the last 15 years, more than passing through it once and having one glass of ale at Mrs. Martin's public house.

1436. Only once in 15 years?—To my recollections.

1437. When was that?—I do not know.

1438. That was the only time in 15 years?—Only once in 15 years.

1439. Was that 14 years before the election or 12 years before the election, or what; when was that once?—I think it might have been the same year; I am not prepared to swear to that.

1440. You remember that you are now on your oath?—Yes, I am aware of that.

1441. Were you not at Stoke Fleming on the Sunday before the last election; are you prepared to swear that you were not there?—What day was the election on?

1442. The election was on the Wednesday, the 12th of July?—I might be wrong, I will not swear to it, but I think I can swear to it. I will not swear to a lie if I can help it.

1443. Will you swear that you were not there on the Sunday, and did you not remain at Stoke Fleming till you came from Stoke Fleming in a carriage the night before the election?—I positively swear that is wrong. I will not swear; will you repeat that question again?

1444. Will you swear that you were not at Stoke Fleming on a Sunday before the election, and that you did not go from Stoke Fleming in a carriage on the Tuesday night?—I did not come from Stoke Fleming on any Tuesday night of last year nor this year.

1445. Did you come in a carriage to Totnes?—Yes.

1446. You did come in a carriage?—Yes.

1447. Where did you come in a carriage from?—Not from Stoke Fleming.

1448. Well, where did you come from?—From Dartmouth, where I was working at the time.

1449. In a carriage?—Well, I think it was four wheels, it might be only two; it had a horse in it.

1450. Is it usual to come in a carriage there, for you, I mean?—I had the chance then, it is not often I get it.

1451. Then you come from Dartmouth in a carriage, you say?—Yes.

1452. Had you not been staying at Stoke Fleming some days previously?—No.

1453. Where had you been staying?—At my lodgings.

1454. Where were your lodgings?—At what time?

1455. Some days previously, up to the Tuesday night before the election?—Some days previously,

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up to the Tuesday night before the election, I was lodging at Mr. Willing's; stop a minute, Floating Bridge in Sand Quay, Dartmouth, Devon.

1456. And from Dartmouth, Devon, you came in a vehicle to Totnes on the night previous to the election?—From Dartmouth, Devon, I came in a vehicle to Totnes to record my vote in favour of Pender and Seymour.

1457. Now, do you mind telling us what you got for that vote for Pender and Seymour?—Yes; I do not mind telling you.

1458. What did you get?—Nothing.

1459. Were you at work down there, at Dartmouth?—Yes, at the time you mentioned just now.

1460. You were at work there?—Yes.

1461. How long had you been at work there?—About a fortnight or three weeks; it might have been more; it was not long, I do not think.

1462. Were you at work there, on the Tuesday before you came up?—Yes.

1463. When you arrived in the carriage on that evening, where did you go to in Totnes?—Where did I go to in Totnes?

1464. Yes, that was my question?—I went to my father's first.

1465. Where did you go afterwards?—I cannot recollect.

1466. Did you look in at the Seymour Arms Hotel?—When?

1467. That evening?—Oh, no.

1468. You went straight to your father's?—Yes.

1469. Do you know one, Samuel Saunders?—Yes.

1470. Is he a friend of your's?—I do not know.

1471. Is he an intimate acquaintance of your's?—No, not that I am aware of.

1472. Does he live near you?—Yes.

1473. Where does he live?—He lives where he can.

1474. Where is that?—One in one house and one in the next.

1475. Do you know a person of the name of Welch; is he a friend of your's?—I do not know that I have any friends, but not many, I know.

1476. Do you know Welch?—I know Welch.

1477. Is he a close neighbour of your's?—He is not a gun-shot off.

1478. Is he nearer than a gun-shot?—I think so.

1479. Does he live at the back of your house?—Yes, at the back.

1480. Do you remember telling Welch, having any conversation with Welch in regard to what was to be got for the election?—I remember he beginning some conversation with me.

1481. Well, what did he say?—He told me he knew what I had; he told me he knew I had money.

1482. And what did you say to him?—I was hearing him. He said it was 40 *l.* I did not contradict it, if he was so knowing as all that.

1483. But did you not double it; did you not make it even greater when he said that you had had 40 *l.*; you said nothing?—I did not say that I had 40 *l.*

1484. What did you say?—"Oh," I said, "you know, do you"?

1485. Well?—That is all I said.

1486. Did you not tell Welch that you had been to the Seymour Arms that night?—No.

1487. Will you swear that?—I will positively swear to all I am saying.

1488. Did you not tell Welch that you had been there?—That I had been to the Seymour Arms?

1489. Yes; when you arrived in Totnes did you not say to Welch that you had been to he Seymour Arms?—I never said any such words to him.

1490. You did not say so to him?—No.

1491. You know where I mean?—I know where you mean.

1492. The Seymour Hotel?—Yes. No, I never said such words as that.

1493. Have you ever been to the Seymour Hotel?—Oh, yes, I have been there many many times; scores of times, I dare say.

1494. Now, did you see a man named Lorrimore there?—When?

1495. The night you arrived in Totnes?—I told you that I was not there that night.

1496. Did you see Lorrimore at all that evening?—No.

1497. Do you know Lorrimore?—I do; he is also a neighbour of mine, not two or three doors from me.

1498. Now, the whole conversation with Welch was that he told you that you had 40 *l.*, and your part of the conversation was that you said nothing?—Yes.

[Adjourned to To-morrow, at Eleven o'clock.

Thursday, 22d March 1866.

THE RIGHT HON. EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Names of the Members were called over:—All present.

MR. JOSEPH MARRIOTT, was called in; and, having been sworn, was Examined by Mr. *Cook*, as follows:

Mr. *J. Marriott.* 22 March 1866.

1499. ARE you a Clerk in the Consolidated Bank of London?—Yes.

1500. And is John Pender, Esq., M. P., one of the directors of that bank?—He is.

1501. And has he an account there?—Either at Manchester or in London. I am not sure that he has a London account. He is connected with the bank as a director, and has an account with us.

1502. Just look at this bank-note, 05,843 (*handing the same to the Witness*); have you, in consequence of a request from us, examined the books, and do you find that note paid into your bank from the Bank of England on the 7th of July?—No; here is the summons (*exhibiting a paper*).

1503. Never mind that; I am asking you about that note?—I was not requested to do that; there is no mention of any particular payment: I cannot say.

1504. You say that you cannot tell me whether that note reached the Consolidated Bank from the Bank of England?—No.

1505. Was there a cheque cashed on the Consolidated Bank for 2,000 *l.* on the 7th of July?—There was.

1506. And did this note for 50 *l.* form part of that sum of 2,000 *l.* so cashed?—I cannot say.

1507. Have you not the note entered?—No, it was never in the summons. I can get the information in a very few minutes.

1508. But you were ordered to bring your books here?—This is an account of it.

1509. We only want the 2,000 *l.*?—The reason I have not brought the full particulars is that the date is wrong, and the amount is not given.

1510. Is this your handwriting (*handing a paper to the Witness*)?—No.

1511. Have you not that here?—No, we cannot get the cheque.

1512. But you have got the entry?—Yes.

1513. You have got the 2,000 *l.*?—Yes; there is the 2,000 *l.*, at a different date from what you gave me.

1514. I gave you the date of the 7th of July?—No, you gave me May the 7th.

1515. I see that you produce a cash balance here of 2,000 *l.*?—Yes.

1516. Was that on account of Percy Howell Salmon?—He pays it in on the 7th of July, and it is drawn out on the same day.

1517. A sum of 2,000 *l.* is paid in to the credit of Percy Howell Salmon on the 7th of July, and it is paid out on the same day?—Yes.

1518. By the *Committee.*] It passed through your books?—Yes.

1519. Mr. *Cook.*] Is he secretary to Mr. Pender?—I do not know what he is in reference to Mr. Pender. He merely opened an account with us on that date.

1520. He was a new customer, was he?—Yes, introduced by a person, not Mr. Pender.

1521. You say that you cannot tell me whether he is the secretary of Mr. Pender?—I cannot say whether he is or is not.

1522. I want to know, then, what were the component parts of the 2,000 *l.*; how was it made up?—When I said I could get it in a few minutes, I should have to go to the bank for it.

1523. Were you not shown this note?—No, I keep the ledger account; I can get you all the particulars by going to the Consolidated Bank.

1524. By the *Committee.*] You must get into a cab and go and fetch the particulars?—Very well, I shall be back in about half-an-hour.

[The Witness withdrew.

Mr. JOHN YABBICON was called in; and, having been sworn, was Examined by Mr. *Cook*, as follows:

Mr. *J. Yabbicon.*

1525. ARE you the Manager of the National Provincial Bank at Totnes?—I am.

1526. Now, previous to the last day of June in the last year, had you the honour of Mr. Pender being a customer of the bank?—Yes.

1527. Previously?—Previously.

1528. Now, when did he commence to be a customer of the bank?—The first time he came to Totnes we had a small account.

1529. Now, on the 30th of June, was Mr. Pender's account credited in your bank with the sum of 1,874 *l.*?—It was.

1530. By the *Committee.*] Was that in June last?—On the 30th June last.

1531. Mr. Pender was credited with 1,800 *l.*?—£. 1,874, or 1,870 *l.*; I could tell you by reference to the book.

1532. Now, was that done by a dividend warrant

Mr. *J. Yabbicon.*

22 March 1866.

rant of the Atlantic Telegraph Company, payable at the Consolidated Bank?—It was.

1533. And did that sum of money remain untouched until the 28th July?—It did.

1534. And was it then drawn out in one sum by Mr. Pender?—Yes, it was.

1535. By himself?—Yes, he drew a cheque, and we paid it over to the London Joint Stock Bank.

1536. In Totnes?—No, in London; he kept an account there, I believe. It remained intact with us from the moment it was paid in till it was drawn out at that time. It being a dividend warrant, he was anxious to have it collected. It was very natural.

1537. Now, do you know the handwriting of Mr. James; just look at "William H. James" on the back of that note?—I do not know which James you refer to; there are more James's in Totnes than one.

1538. Do you know the Reverend W. H. James in Totnes?—I do; he keeps an account at our bank.

1539. Are you in the habit of cashing his cheques?—We do.

1540. Be good enough to look at that signature, and tell me if you believe that to be his handwriting?—Well, this looks like it.

1541. I did not ask you that; I asked you, do you believe that to be his handwriting?—I do.

1542. By the *Committee.*] Is that the endorsement upon the note?—Yes.

1543. Mr. *Cook.*] Now, do you know the handwriting of George Pengelly?—No, I do not; I never saw it in my life.

1544. Do you know the handwriting of Mr. Jeffery Michelmore?—I do.

1545. Just look at the corrections in that lot of bills. There is one writing at the top, and there are several corrections and additions; do you believe these alterations and additions to be in the handwriting of Mr. Jeffery Michelmore?—I will not undertake to swear that it is his handwriting.

1546. Just look at them, will you?—Yes.

1547. Look at several of them?—I would not swear to that.

1548. I did not ask you that. What I asked you was this, I asked you your belief. We never ask people to swear that it is the handwriting, but we ask their belief; now what is your belief?—Well, it looks like his handwriting, but I cannot say that even I believe it.

1549. I ask you what is your belief upon the subject?—Well, I will not say one way or the other.

1550. Have you no belief upon the subject?—I would not undertake to swear to it.

1551. Will you swear that you do not believe it to be his handwriting?—I will not swear either one way or the other. You ask me a negative. I cannot undertake to say I believe it to be his handwriting.

1552. You have no belief upon the subject?—I will not undertake to say that it is his. I believe it——

1553. Have you a belief?—Yes.

1554. What is your belief?—Well, I can hardly say what my belief is.

1555. Do not be excited over it. Do you know it to be his?—I will not undertake to say that I believe it.

1556. That is not what I asked you. Have you any belief upon the subject; that is my question?—I do not believe that it is.

1557. Are you prepared to have that written down?—To be sure; I am coming here to speak what I know.

1558. I thought you said that it looked like it?—No, I did not.

1559. Pardon me. Do not get excited; look at the alterations?—I cannot undertake to say that it is or is not.

1560. I believe that there is no doubt about it in anybody's mind; what is your belief with respect to it?—Well, I have no belief upon the subject; I cannot say whether it is his handwriting or not. I have told you what I believe to be Mr. James's.

1561. I am always thankful for the smallest information. You say that you do not believe this to be Mr. Michelmore's handwriting?—No.

Cross-examined by Mr. Serjeant *Ballantine.*

1562. Now, with respect to the dividend warrant, was that drawn out in the shape of a dividend warrant, and sent to the London Joint Stock Bank?—No.

1563. Was it drawn out in money, or what?—The cheque which you advert to was a cheque by the Telegraph Company upon the Consolidated Bank.

1564. Now, what became of that actual cheque; what did you do with it?—We sent it to our head office.

1565. Where is that?—The National Provincial Bank, in the City.

1566. In London?—Yes.

1567. Did you see anything of it?—It was passed to the credit of the branch.

1568. Passed to the credit of what branch?—Of the Totnes branch.

1569. It was drawn out in its entirety?—Yes.

1570. And paid into the hands of the London Joint Stock Bank?—No; after it passed out of my hands I do not know what became of it. They collected it, no doubt, from the Consolidated Bank in the course of their clearing.

1571. But it never was drawn out in Totnes, in money?—No.

1572. Not in detail?—Not a farthing.

1573. It was sent down, was it not, during the period that Mr. Pender was at Totnes?—Yes.

1574. The cheque from the Telegraph Company?—Yes.

1575. Or rather the dividend warrant?—Yes.

1576. Now, about this Mr. James; what is he, a clergyman?—He is a clergyman of the Established Church.

1577. At Totnes?—No.

1578. Where then?—He is vicar of a church in Wales. He has come to Totnes to reside; he has been there for some years.

1579. And is he a man of independent means?—Well, I believe he has about 300*l.* or 400*l.* a year. He has kept an account with us, I should tell you, for the last two or three years.

Re-examined by Mr. *Cook.*

1580. Now, you have been asked with regard to this coming when Mr. Pender was there; is it not within your knowledge that he keeps an account with the other bank at Totnes?—Yes.

1581. And has done for some time?—I believe that he has; but I do not know about their transactions.

1582. Now,

Mr. *J. Yabbicon.*
22 March 1866.

1582. Now, was it a matter of surprise to you that keeping an account at the other bank, he gave you this dividend warrant?—No, not at all; I know nothing about the accounts at the other bank.

1583. But you know that he had an account there?—I did not know it at the time, but I have beard so since.

1584. Now with reference to Mr. James, is he a married man?—Yes, he is.

1585. With a family?—He has two sons, I believe.

1586. By the *Committee.*] Was this 1,874 *l.* the whole of Mr. Pender's credit in your books?—Yes.

1587. Nothing more?—Nothing more; that was drawn out intact, as I said before.

1588. Now, does Mr. Jeffery Michelmore keep an account with you, at your bank?—Michelmore and Son do.

1589. You were asked some questions about the handwriting?—Yes.

1590. And you say that you have no belief upon the point?—No, I have not.

1591. You cannot say whether it is his handwriting or not?—No, I cannot; I cannot say anything about that handwriting. Mr. James's handwriting, I am certain about his.

1592. Mr. Michelmore's signature is not on that paper?—No, it is not a signature, it is merely an alteration written in a sort of scrambling way.

1593. Has the Duke of Somerset an account with you?—No, he has not; Michelmore and Son have an account with us of 20,000 *l.* or 30,000 *l.*; they keep an account with us of 20,000 *l.* at least.

1594. Mr. *Cook.*] They draw cheques then?—Yes.

1595. Frequently?—Yes, a dozen a day sometimes.

1596. And yet you say that you have no belief with respect to that handwriting that I showed you?—I have no belief as to that handwriting.

[The Witness withdrew.

Mr. George Stoke was called in; and, having been sworn, was Examined by Mr. *Cook*, as follows:

Mr. *G. Stoke.*

1597. You reside, I am told, in Totnes?—Yes.

1598. What are you; what occupation?—Shoemaker.

1599. You are an elector of Totnes?—I am.

1600. And have you been so for some time?—For six years.

1601. Were you at one time a tenant of the Duke of Somerset?—No. I was not a tenant of the Duke of Somerset.

1602. Did you occupy a house that was under a lease which expired?—I did.

1603. Then, at the expiration of the lease what occurred?—I believe the life on the lease was bought. My landlord told me.

1604. Your landlord sold his interest?—Yes.

1605. And the duke became the owner?—Yes.

1606. Do you know the handwriting of George Pengelly?—I have seen it many times.

1607. Just be good enough to look at that 50 *l.* note (*handing the same to the Witness*); do you believe that to be George Pengelly's handwriting?—I believe it to be his handwriting.

1608. Now, what is Pengelly?—He is a shoemaker.

1609. And is he in a large or in a small way of business?—In a small way of business.

1610. I am told that he is not a voter; do you know whether he is a voter or not?—He is not.

1611. And is he a man who has taken an active part of late years at the Totnes elections?—He was employed as a messenger to Pender and Seymour.

1612. I suppose that you saw him constantly during the election?—Yes; and I saw him yesterday, and he told me that he was not paid enough for his job; he said that he was only paid 2 *l.* for his job, and that he considered that was not enough for the time he lost in being messenger.

1613. And did he tell you anything about the 50 *l.* note that his name is at the back of?—He did not.

1614. By the *Committee.*] Was this yesterday?—This was yesterday.

1615. Is he here?—He is here.

1616. Mr. *Cook.*] Be good enough to look at that paper (*handing in a Paper to the Witness*); look at "A. Seymour, Esquire;" have you any knowledge of Mr. Jeffery Michelmore's handwriting?—I have not.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

TOTNES ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed*,
23 *March* 1866.

[*Price* 6 *d.*]

139.

Under 8 *oz.*

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

GREAT YARMOUTH ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
23 *March* 1866.

Friday, 16*th March* 1866.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Great Yarmouth, to which they had annexed the Petition referred to them by the House, relating thereto:

Sir Rainald Knightley. Samuel Laing, Esq. Sir John Ogilvy.	Rear-Admiral George H. Seymour (Antrim County).

The Right Honourable JOHN ROBERT MOWBRAY, Chairman.

Monday, 19*th March* 1866.

Ordered, THAT the Petition relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at One of the clock.

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REPORT.

GREAT YARMOUTH ELECTION COMMITTEE.

Thursday, 22*d March* 1866.

The House informed, that the Committee had determined,—

That Sir Edmund Henry Knowles Lacon, baronet, is duly elected a Burgess to serve in this present Parliament for the Borough of Great Yarmouth.

That James Goodson, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Great Yarmouth.

The House further informed, that the Committee had agreed to the following Resolutions:—

That it was proved to the Committee, that James Smith, plumber, received 15 *l.* as a bribe to vote for Sir Edmund H. K. Lacon, baronet, and James Goodson, esquire, and subsequently received another sum of 3 *l.* as a further bribe on account of having so voted.

That William Smith, cordwainer and beer-house keeper, received 15 *l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and did so vote.

That Edward Morter received 10 *l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and did so vote.

That Robert P. Etheridge received 15 *l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and did vote for Sir Edmund H. K. Lacon only.

That William Bickers received 15 *l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and subsequently voted for Alexander Brogden, esquire, and Philip Vanderbyl, esquire.

That Isaac Sillis received 15 *l.* as a bribe to vote for Alexander Brogden, esquire, and Phillip Vanderbyl, esquire.

That James Smith, tailor, was offered 15 *l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and received 20 *l.* as a bribe to vote for Alexander Brogden, esquire, and Philip Vanderbyl, esquire, and did vote for the last-mentioned candidates.

That John Jones, dentist, was offered 12 *l.* to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and subsequently received 15 *l.* 10 *s.* as a bribe to vote for Philip Vanderbyl, esquire, and Alexander Brogden, esquire, and did vote for the last-mentioned candidates.

Mr. *Cripps* was heard to open the case on the part of the Petitioners.

The short-hand writer was sworn by the Chairman.

Mr. *James Naylor*, sworn; examined by Mr. *Sargood*; produced writ and return, and handed in six poll-books of the last Election for the Borough of Great Yarmouth.

William Bickers, sworn; examined by Mr. *Sargood*; cross-examined by Mr. *O'Malley*.

Alfred Pettigill, sworn; examined by Mr. *Mellor*; cross-examined by Mr. *O'Malley*.

Mr. *Robert Steward*, sworn; examined by Mr. *Cripps*; produced Election accounts.

Mr. *Robert Etheridge*, sworn; examined by Mr. *Cripps*; cross-examined by Mr. *O'Malley*.

Mrs. *Emma Jones*, sworn; examined by Mr. *Sargood*.

Mr. *John Jones*, sworn; examined by Mr. *Sargood*; cross-examined by Mr. *Clerk*.

[Adjourned to Eleven o'clock To-morrow.

Wednesday, 21*st March* 1866.

Names of the Members called over;—all present.

Edward Morter, sworn; examined by Mr. *Mellor*.

Charles George Hunt, sworn; examined by Mr. *Sargood*.

On the question, "Will you put in those letters?" being put, Mr. *Clerk* objected, on the ground that unless evidence was produced, that *Eagleton* (the supposed writer) was aware of the contents of the letters, they could not be produced as evidence against the Sitting Members.

Mr. *Sargood* was heard in support of his question.

Mr. *Clerk* replied.

The Committee decided that the letters should not be produced.

The Witness was cross-examined by Mr. *Clerk*.

Mr. *Henry Goodwin*, sworn; examined by Mr. *Mellor*; cross-examined by Mr. *O'Malley*.

William Dawson Eastwick, sworn; examined by Mr. *Sargood*; cross-examined by Mr. *O'Malley*.

Mr. *Henry Goodwin*, recalled; examined by Mr. *O'Malley*.

James Smith, sworn; examined by Mr. *Mellor*; cross-examined by Mr. *Clerk*.

William Isaac Sillis, sworn; examined by Mr. *Sargood*; cross-examined by Mr. *O'Malley*.

William Shelley, sworn; examined by Mr. *Mellor*.

William Smith, sworn; examined by Mr. *Sargood*.

James Smith, sworn; examined by Mr. *Mellor*.

Edmund Clarke, sworn; examined by Mr. *Sargood*.

James Smith, recalled; examined by Mr. *Sargood*.

On the question, "Since you have had an intimation that you would be required in London, has Mr. *Wilshack* made any intimation to you as to what you were to say," Mr. *O'Malley* objected on the ground that the statement or admission of an assumed agent, made after the transaction was over, could not be received as evidence against the principal.

Mr. *Sargood* contended that the question might be put.

Mr. *O'Malley* replied.

The Committee decided that the question might be put.

Edmund Clarke, recalled; examined by Mr. *Sargood*; cross-examined by Mr. *Clerk*.

Robert Nobbs, sworn; examined by Mr. *Mellor*.

James Grymes, sworn; examined by Mr. *Sargood*; cross-examined by Mr. *Clerk*.

John Stanley, sworn; examined by Mr. *Mellor*.

William Palmer, sworn; examined by Mr. *Sargood*.

Eliza

Eliza Smith, sworn; examined by Mr. *Sargood*; cross-examined by Mr. *Clerk*.

Sarah Stringer, sworn; examined by Mr. *Sargood*; cross-examined by Mr. *Clerk*.

Charles John Ablitt, sworn; examined by Mr. *Sargood*.

George Farrow, sworn; examined by Mr. *Mellor*.

Mr. *Sargood* applied for an adjournment of the Committee in order that every means might be used to procure the attendance of *John Eagleton* and *William Hutchins*.

[Adjourned accordingly till To-morrow at Eleven o'clock.

Thursday, 22d March 1866.

Names of the Members called over;—all present.

John Eagleton, called, but did not answer.

William Hutchins, called, but did not answer.

Mr. *Mellor* stated that he could call two witnesses to prove having seen William Hutchins in London yesterday.

William Smith; examined by Mr. *Mellor*; cross-examined by Mr. *O'Malley*.

Thomas William Downing; examined by Mr. *Mellor*.

Mr. *Sargood* summed up the case on behalf of the Petitioners.

Mr. *O'Malley* heard on behalf of the Sitting Members.

Room cleared; Committee deliberated.

Resolved, 1. "That Sir Edmund Henry Knowles Lacon and James Goodson were duly elected as Burgesses to serve in this present Parliament for the Borough of Great Yarmouth."

Resolved, 2. "That James Smith, plumber, received 15*l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and subsequently received another sum of 3*l.* as a further bribe on account of having voted."

Resolved, 3. "That William Smith, cordwainer and beer-house keeper, received 15*l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and did so vote."

Resolved, 4. "That Edmund Morter received 10*l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and did so vote."

Resolved, 5. "That Robert P. Etheridge received 15*l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and did vote for Sir Edmund Lacon only."

Resolved, 6. "That William Bickers received 15*l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and subsequently voted for Alexander Brogden esquire and Philip Vanderbyl, esquire."

Resolved, 7. "That William Isaac Sillis received 15*l.* as a bribe to vote for Alexander Brogden, esquire, and Philip Vanderbyl, esquire."

Resolved, 8. "That James Smith, tailor, was offered 15*l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and received 20*l.* as a bribe to vote for Alexander Brogden, esquire, and Philip Vanderbyl, esquire, and did vote for the last-mentioned Candidates."

Resolved, 9. "That John Jones, dentist, was offered 12*l.* to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and subsequently received 15*l.* 10*s.* as a bribe to vote for Alexander Brogden, esquire, and Philip Vanderbyl, esquire, and did vote for the last-mentioned Candidates."

Resolved, 10. "That James Grymes was offered 15*l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and subsequently received 20*l.* as a bribe to vote for Alexander Brogden, esquire, and Philip Vanderbyl, esquire, and did vote for the last-mentioned Candidates."

Resolved, 11. "That Robert Nobbs received 15*l.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, with a promise of a further sum of 1*l.* if he voted early; and subsequently received a further sum of 15*l.* as a bribe to vote for Alexander Brogden, esquire, and Philip Vanderbyl, esquire, and did vote for last-mentioned Candidates."

Resolved, 12. "That Edward Clarke received 14*l.* 10*s.* as a bribe to vote for Sir Edmund H. K. Lacon and James Goodson, esquire, and also received 10*l.* as a bribe to vote for Alexander Brogden, esquire, and Philip Vanderbyl, esquire, and did vote for last-mentioned Candidates."

Resolved, 13. "That it was not proved to the Committee that any of the aforesaid acts of bribery were committed with the knowledge, authority, or consent of the said Sir Edmund H. K. Lacon, baronet, and James Goodson, esquire, or of either of them, or of any of their agents."

Resolved, 14. "That the Committee have reason to believe that corrupt practices have extensively prevailed at the last Election for the Borough of Great Yarmouth."

Parties called in, and informed of the above Resolutions.

Ordered, To Report the foregoing Resolutions to The House.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Tuesday, 20th March 1866.

MEMBERS PRESENT:

Sir Rainald Knightley.	Sir John Ogilvy.
Samuel Laing, Esq.	Rear-Admiral George H. Seymour (Antrim County.)
The Right Hon. John Robert Mowbray.	

THE RIGHT HONOURABLE JOHN ROBERT MOWBRAY, IN THE CHAIR.

Mr. JAMES RICHARD NAYLOR was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

Mr. *J. R. Naylor.* 20 March 1866.

1. YOU attend from the Crown Office?—I do.
2. What do you produce?—I produce the writ and the return for the borough of Great Yarmouth for the last election, held in July 1865 (*delivering in the same.*)
3. Do you produce anything else?—The poll-books, taken at the time of the election (*delivering in the same*).

[The Witness withdrew.

WILLIAM BICKERS was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

W. Bickers.

4. YOU are a resident in Jail-street, Yarmouth?—Yes.
5. You carry on the business of a Shoemaker?—Yes.
6. Are you one of the voters who have the privilege of voting in that place?—Yes.
7. Did you vote at the last election, last year?—Yes.
8. Do you remember who the candidates were?—Yes.
9. I dare say you remember who were the gentlemen returned as sitting Members?—Yes.
10. Did you see either of them shortly before the election; did they pay you a visit?—One of them did.
11. Who was that?—Sir Edmund Lacon.
12. How long was that before the election, do you remember?—It was some little time; I cannot say exactly how long.
13. A few weeks before?—Yes, I should think it was.
14. Just tell the Committee what application was made to you at that time?—Sir Edmund Lacon solicited me for my vote.
15. Did you make any promise at that time, or not?—I believe I did.
16. Did they call again at any time?—No.
17. I suppose Sir Edmund was not alone, was he?—Yes.
18. He called by himself?—Yes.
19. Did you see him after that?—No.
20. Did you see anybody who called on his behalf.

Mr. *O'Malley* objected to the question.

The *Chairman* stated that the question must be put in a different form.

21. Mr. *Sargood* (to the *Witness*).] Did you see anyone afterwards with reference to the election?—I saw Mr. Cooper.
22. Do you know him?—Yes.
23. Just tell us who and what he is?—He is a printer.
24. Do you know his Christian name?—John, I believe.
25. Did he call in reference to the election?—He called and offered me money to go and sign my name for Mr. Goodson.
26. What did Mr. John Cooper say to you when he paid this visit?—He asked me if it made any difference in which way I voted? I said, "Well, I do not exactly know;" and then he offered me 10 *l.* to vote for Sir Edmund Lacon and Mr. Goodson.
27. Just tell us how did he offer it; what did he say; what did he do?—He said he would give me 10 *l.* if I would vote for Sir Edmund Lacon and Mr. Goodson.
28. What did you say to that?—"Well," I said, "I do not know."
29. What did he say then?—He said, "If there was anything given more to anyone else he would give the same to me."
30. Did anything else take place between you on that occasion?—Not then.
31. Did you see anybody after that?—Mr. Cooper came to me after that.
32. Do you remember about what time that was; could you fix the exact time when Cooper first called?—No, I could not say the first time.
33. Can you tell how long before the election it was that Mr. Cooper first called upon you?—No, I could not say.
34. Was it after the visit that you had from Sir Edmund Lacon?—Yes, I think it was.
35. How

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35. How soon after the first visit did Cooper come again?—Cooper came again upon the 1st of July.

36. What did he then say to you?—He bought two pair of boots of me, and said "he would bring me the money in a few days."

37. The money for the boots?—No, the 10 *l.*

38. What more did he say at that time; anything else?—I do not remember that he did then.

39. When did you see Mr. John Cooper next?—I went up to town the Monday before the election.

40. Do you remember the day of the month?—I think it was about the 10th; I think so.

41. You went up to town; what happened to you then?—When I came back from town there was another voter standing against Mr. Cooper's shop.

42. Who was he?—Mr. Blyth, the painter.

43. Is that William Blyth, the painter?—I believe it is.

44. What next?—We talked a minute or two.

45. You and Mr. Blyth?—Yes.

46. What did you talk about?—I said that I understood Mr. Cooper was not going to be entrusted with money, as he had on previous occasions, and he said, "It is all nonsense."

47. Did Mr. Blyth say anything more to you?—Mr. Blyth told me then a parcel went to him on Sunday evening, when he was at chapel.

Mr. *O'Malley* objected to this as merely hearsay evidence.

Mr. *Cripps* was heard in support of his right to inquire into what passed between Mr. Blyth and the witness.

The *Chairman* said, that considering the way in which the case had been opened, the Committee might hear anything that passed with Mr. Blyth.

48. Mr. *Sargood.*] Just go back to where you were with your conversation with Blyth; just repeat what you said again, as to Blyth's observation about Cooper?—He said there was a parcel came to his house on Sunday evening, when he was at chapel; when he went home he looked into this parcel, and that it contained gold, and he spent 450 *l.* on the Sunday evening, with the exception of 15 *l.*

49. Having told you that he had received that money, and got rid of it, did he then tell you what you were to do?—He told me to go into Mr. Cooper's and receive my money.

50. What did you do upon his telling you to do that?—I went into Mr. Cooper's.

51. Did you see Cooper?—Yes.

52. Now tell us whercabouts in the house did you see him?—Cooper was in the shop, when I went into his shop, and he invited me into a back room and there he paid me 15 *l.*

53. Did you ask him for it, or just tell us what conversation you had?—No, I did not ask him, he invited me into the back room, and gave me the money.

54. What did he tell you to do then?—He told me that he would give me money to vote for Sir Edmund Lacon and Mr. Goodson.

55. Did you know what time you were to vote?—He told me to vote early.

56. Where did he take the money from?—He took it out of a purse.

57. Where did he take the purse from?—I think he took the purse from his pocket; I could not swear positively.

58. Did you see the purse; what size it was, or anything about it?—I forget about the size of the purse.

59. How was the money got out of it?—He took the money out with his fingers.

60. Did he take the whole lot out at once?—No, he took out 10 sovereigns, and then he took out five.

61. Were you able to tell whether there was anything more in the purse, after he had done that?—Yes, I think there was more in the purse.

62. He told you then to vote early for Sir Edmumd Lacon and Mr. Goodson?—Yes.

Cross-examined by Mr. *O'Malley.*

63. Did you vote?—Yes.

64. For whom?—For Mr. Brogden and Mr. Vanderbyl.

65. How came you to vote for Mr. Brogden and Mr. Vanderbyl?—Because that was the way my principles was.

66. You mean to tell us this because we will test your truth by your principles; do you mean upon your oath to say that it was in support of your principles that you voted for him?—Yes.

67. You mean to swear that it was in support of your principles; had you no other inducement?—No.

68. But your public principles?—No.

69. That you swear?—Yes.

70. That was in pursuance of your principles?—Yes.

71. Who was it that you first communicated to on the other side, that your principles would lead you to vote for them?—I did not communicate with any one.

72. Were you employed on the other side?—No.

73. You did nothing for the people on the other side?—No.

74. You mean to swear that?—Yes; I can swear that.

75. In pursuance of your principles, did not you tell us that you had promised Sir Edmund Lacon to vote for him, the first time he called upon you?—Yes, but I altered my mind.

76. Was that in pursuance of your principles?—I altered my mind.

77. Was it in pursuance of your principles that you promised Sir Edmund Lacon, in the first instance, to vote for him?—I might be wrong.

78. Was it in pursuance of your principles that you promised him, is what I ask you?—Well, no, sir.

79. Then you had promised Sir Edmund Lacon against your principles?—Yes, I had.

80. And you had promised Sir Edmund Lacon when he called upon you?—Yes.

81. Will you tell me when your principles changed?—No, I could not say; I could not tell you that.

82. Was it according to your principles to take 15 *l.* to vote for one party, and then vote for another; is that a part of your principles?—That is how I did do.

83. That is part of your principles?—I am no scholar.

84. But you told me it was in pursuance of your principles, you know; you are no scholar, but you told me it was in pursuance of your principles that you voted; I am only taking your own words, in pursuance of your principles;

ciples; I ask you, was it in pursuance of your principles to take 15 *l.* from one man, and promise to vote one way, and then to vote the other way?—I was inclined to vote that way.

85. You told us, according to your own story, that when you were asked by Mr. Cooper if you cared which way you voted, you said you did not; your principles were wavering then, I suppose?—It appears so.

86. Then we have it that when you promised Sir Edmund Lacon, your principles were one way, that they were wavering when Cooper spoke to you; and, after taking Cooper's money, they turned round; is that what you mean to say; what did you do with the 10 sovereigns you got from Cooper?—I cannot say what I done with it now.

87. What did you do with them; can you tell me?—No, I do not know what use exactly I put them to; I do not know what I did with them, exactly; I spent them, no doubt.

88. Did you go and show it to the other party?—No, that I did not.

89. Is there anyone who ever saw your 15 sovereigns?—No; I do not know that there was.

90. What time of the day was it that you got those 15 sovereigns?—It was between breakfast and dinner time.

91. Is that the nearest you can tell me?—Yes.

92. Do you mean to say that that is the nearest you can tell me?—Yes.

93. Did you go through Cooper's shop?—Yes.

94. Who was there?—I cannot say who was there.

95. Was there any one there?—There was some persons there.

96. Was it a man or a woman?—There was some men there.

97. More than one?—I think there was two or three men.

98. Where was Cooper?—Cooper was at the back of the workshop when I first went in.

99. Did he speak to you before you went in?—No, not before I went in.

100. Before you went into the back room, did he speak to you?—Yes.

101. What did he say?—He told me he should be ready in a minute; he was talking along with some man.

102. You went in, never a word was said, but he took out the 15 *l.*, is that it; now tell me the very words that were said?—He told me to vote for Sir Edmund Lacon and for Mr. Goodson.

103. You know, according to your story, that had been all arranged before?—Yes; but he repeated it again.

104. How many times, pray, did he repeat it?—I do not know that he repeated it only once.

105. Will you swear that he repeated it at all?—Yes.

106. That you mean to swear: were you at the shop that day at all?—Yes.

107. You live in Yarmouth, and know it very well; tell me the name of anyone who saw you near that shop that day?—Mr. Blyth saw me there.

108. Did Blyth go with you?—Blyth was in the shop when I came through.

109. I thought it was Blyth sent you to the shop?—Blyth told me to go in; he stopped outside at the time I did go in.

110. Then he did not send you to the shop, but he went with you?—No, he sent me to the shop.

111. He went with you to the shop?—He came in after I got out.

112. How; did he stand at the door waiting for you; did he come in after you had been there?—I did not say he stood waiting at the door.

113. You told me this moment he stood waiting at the door?—That was before I went in.

114. "While you went in," were your words; first of all, did he go with you to the place?—He was standing against the shop.

115. Did he go with you to Cooper's?—He was standing against the shop when I went up.

116. But did not you tell us it was Blyth that told you to go to Cooper for money?—Yes.

117. Where was Blyth when he told you to go to Cooper for money?—Right against Cooper's shop.

118. Outside Cooper's shop?—Yes.

119. This whole conversation with Blyth was outside Cooper's shop?—Yes.

120. Then when you went in, Blyth followed you in, you say?—Yes.

121. You say there were people in the shop; tell me who else were there?—I did not know the people in the shop.

122. Anyone who saw you in there at that time?—A man was there by the name of Harbord.

123. What is he?—He is a milkman, and keeps cows.

124. Where did he see you?—He saw me stop and talk to Blyth.

125. When did you tell this to anyone, about your 15 *l.*?—I do not know that I told anyone.

126. You never told anyone?—I do not know that I told anyone.

127. Do you mean to swear that you do not know you told anyone about this 15 *l.*; is it purely an imagination that they have called you hereupon; you swear you never told anyone about this?—Yes, I think I did tell Harbord; no, I do not think I did neither.

128. Who did you tell, then?—I do not know that I told anyone.

129. Then I need not ask you when you told anyone if you do not know that you told anyone; you mean to swear, to these gentlemen, these two facts especially, that you changed and voted for the other two candidates in pursuance of your principles, and that you never told anyone of your having received 15 *l.* till you came here today; do I understand you to say that?—At least, I think I told a man by the name of Julier.

130. What is he?—A watchmaker.

131. When did you tell him; when do you think you told him?—I think it was the morning of the election.

132. Was that before you had voted?—I think it was.

133. Before you had voted you told him that; but you did not show him the money?—No, I did not show him the money.

134. Did you ever tell anyone since that?—I do not think I did.

Re-examined by Mr. *Cripps.*

135. I understand you to say that you saw Blyth, in the first instance, near or at Cooper's shop?—Against Cooper's shop.

136. You having seen him there, did you have a conversation with him before you actually went in to Cooper's shop?—Yes.

137. What were you doing during that time that you had the conversation with him; were

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you standing at the shop, or walking up and down, or what?—Walking up and down the pavement.

138. Would that be just by Cooper's shop?—Yes.

139. Was it when you first saw him, or after you had been talking some little time, that he told you to go and get your money from Cooper?—We had been talking a few minutes.

140. Then he told you that?—Yes.

141. Then you say that he did not go away from there?—No.

142. But that you saw him in the shop, or near the shop, as you came out again?—Yes.

143. About how long do you think you had been in with Cooper, in the back room?—I should think not more than 10 minutes.

144. Was it about 10 minutes?—I should think it was about that time, I cannot say to a minute or two.

145. After those 10 minutes, as you came out Blyth was still there?—Yes.

146. You say you saw a man named Harbord; do you think Harbord saw you when you were there that evening?—Harbord saw me stop and speak to Blyth.

147. Is that a man of the name of James Harbord?—Yes.

148. James Harbord, a cowkeeper?—Yes.

149. Where was he at the time?—I really forget; Harbord and I was together before I got up to Blyth.

150. Had you been in conversation yourself with Harbord that same night before you saw Blyth?—I really forget; I was with Harbord that morning.

151. Can you tell me at all, so far as you recollect, where Harbord was, if you did see him at all on this evening?—I do not recollect that I did.

152. You cannot tell, at all, who were in Cooper's shop at the time you were there?—No. I do not recollect; I do not think I knowed the men at all.

153. When you came out, just let us understand, was Blyth in the shop, or at the door of the shop where you had first seen him?—No. Blyth was in the shop.

154. By the *Committee.*] You say you had a conversation with Sir Edmund Lacon upon the election; did you promise to vote both for him and Mr. Goodson?—Yes.

155. Was that before you had seen Cooper?—Yes.

156. And you promised both?—Yes.

157. With respect to this conversation with Blyth outside Cooper's shop, was that on the Tuesday you returned from London, or the Monday?—It was on the Monday before the election.

158. What time did this conversation take place; what time of the day?—It was between breakfast and dinner time.

159. On the Monday?—On the Monday.

160. How did you get down from London?—No, I did not come down from London.

161. You said town, you meant Yarmouth?—Yes, I said I went up to town; we call it going up to town.

[The Witness withdrew.

ALFRED PETTINGILL was called in; and, having been sworn, was Examined by Mr. *Mellor,* as follows:

A. Pettingill.

162. WHAT are you and where do you live?—An Auctioneer and Appraiser, in Great Yarmouth.

163. I suppose you remember the last election?—Yes.

164. Do you remember, about three weeks before the last election, anybody coming to you about the election?—No.

165. About three weeks before the election, did you see Sir Edmund Lacon anywhere?—Yes.

166. Where was it?—In Regent-street, Yarmouth.

167. Did he say anything to you?—He asked me for my vote.

168. When Sir Edmund Lacon asked you for your vote, what did you say to him?—I refused to give it.

169. When you refused to give it, did Sir Edmund Lacon say anything further to you?—No, he said he did not think I should go against him.

170. Did you say anything in answer to that?—No, not particular, except he had not supported me so well in business as he ought to have done.

171. What did he say upon that?—He did not make no particular observation.

172. Did he say anything?—He merely shrugged his shoulders, and said he should think of it afterwards.

173. Did you see anybody else just after that, or about the same time?—A few days afterwards.

174. I mean on the same day?—Not on the same day.

175. Are you quite sure of that?—I am certain of that.

176. You say about two or three days afterwards you saw somebody?—Yes.

177. Who was that?—Mr. William Collet Reynolds.

178. Do you know who Mr. Reynolds is?—Yes.

179. Who is he and what is he?—A solicitor.

180. Do you know anything more about Mr. Reynolds; do you know of your own knowledge whether he was acting for any one of the candidates, or for any two of them?—I believe he was.

181. As agent?—Yes.

182. What did Mr. Reynolds say to you, when you saw him?—He told me that I should support the cause that I had always done before.

183. What did you say then?—I did not say anything to him.

184. Then I suppose he said something more about that?—He said he had always supported me in business, and he hoped I should do so again.

185. Three or four days after that, did you meet Reynolds again?—Yes.

186. Where was that?—On the quay.

187. Did he say anything to you on that occasion?—No.

188. Then, did he pass you without speaking?—I spoke to him.

189. What did you say to him?—I asked him to give me a place on the committee, I mean in the committee-room as clerk.

190. Then you knew where the committee room was?—I knew where the voting place was.

191. Where was the committee-room?—On the quay at the back of the town-hall.

192. Wha

192. What did Mr. Reynolds say, when you asked him for employment in the committee-room?—First of all, he said he did not think he could get me on.

193. What did he go on to say; did he say anything more?—He thought he could in a little time.

194. When did you next hear from Mr. Reynolds about this employment. Were you employed afterwards?—Yes.

195. At the committee-room at the back of the Town-hall?—Yes, I was employed there.

196. You say you were employed at the committee-room; when did you first go to the committee-room?—I cannot tell you the day.

197. Was it soon after this conversation took place, that you first went to the committee-room?—Yes, about a week afterwards, I suppose.

198. Did anybody send to you?—Yes.

199. Who?—Mr. Reynolds.

200. How?—By a note.

201. Have you got that note?—Not with me.

202. And in consequence of receiving a note from Mr. Reynolds, did you go to the committee-room?—Yes.

203. Whom did you see there?—I saw Mr. Reynolds.

204. Where did he come from; did he come out and speak to you?—Yes.

205. Out of the committee-room?—I do not know; it was out of a room.

206. When he came out of the room to you, did he take you anywhere?—Yes, into another room.

207. Do you know who was in the room he took you into?—Yes, Mr. Teesdale.

208. Who was Mr. Teesdale?—He was the head clerk, I suppose he would call himself.

209. Then what happened then? Did Mr. Reynolds, when he took you into the room with Mr. Teesdale, say anything to you, or did Mr. Teesdale?—No, he merely told me that I could do certain writing.

210. Who set you to write?—Mr. Teesdale did.

211. Did Mr. Reynolds tell Mr. Teesdale, in your presence, to set you to write?—No, I cannot say that.

212. You say that Mr. Reynolds took you into the room?—Yes, he spoke to Mr. Teesdale; I did not hear what he said.

213. After he had spoken to Mr. Teesdale, Mr. Teesdale set you to write?—Yes.

214. What writing did you do?—I wrote cards and directed envelopes.

215. How long were you employed in the committee-room?—I should think about four days.

216. I suppose you were paid for your employment?—Yes.

217. What were you paid for being employed directing envelopes and writing cards during those four days?—I cannot tell you exactly.

218. Never mind exactly; tell us as near as you can?—About 10 *s.* a day. But it was mixed up with the county election, you know; it was paid altogether, so that I do not know exactly what I did get paid.

219. What did you get paid altogether for the two?—Something under 5 *l.*, I think.

220. Besides being employed in directing those envelopes in the committee-room at the borough election, was any promise made to you of any other or further employment?—No.

221. You were not promised any other employment?—No.

222. You say you were afterwards employed at the county election?—Yes, I was.

223. Then how came you to be employed at the county election?—I merely asked for it.

224. Whom did you ask?—I asked Mr. Reynolds.

225. When; did you ask Mr. Reynolds, before you were employed in the committee-room, to be employed also at the county election?—I cannot tell exactly about the date.

226. Will you tell us as near as you can: you asked Mr. Reynolds first, you say, to give you employment in the committee-room for the borough election; was it about that time, or after?—It was about that time, very near. I think it was on the last day of the election when the news came down that they were going to contest the county. I think it was on the same night.

227. Whom did you vote for, or did you vote at the election?—For Sir Edmund Lacon and Mr. Goodson.

228. Was that why you were employed at the committee-room?—No. Of course I voted when I was there. I was there two days before.

229. Was the room where you were employed up-stairs?—Yes.

230. Was it on the same landing as the general committee-room?—Yes, I do not know what you mean by committee-room.

231. Where the committee generally sit together?—It was where the gentlemen were, in Mr. Lacon's room; not Sir Edmund Lacon, but some relation to him.

232. Mr. *O'Malley.*] Mr. Stirling Lacon?—Yes.

233. Mr. *Mellor.*] How many rooms were used by the gentlemen altogether?—Three.

234. One was Mr. Lacon's room?—Yes.

235. Whose was the other room, or one of the others?—I cannot tell.

236. Were there any handbills or placards placed on the door or on the walls?—Yes.

237. What was on the placards?—I think it was only "Vote for Lacon and Goodson."

238. Was there no other card of any kind?—I did not notice any.

239. How was it you knew it was a committee-room?—

Mr. *O'Malley* objected to the question.

240. Mr. *Mellor.*] You asked for employment at the committee-room, and you said you knew the committee-room was on the side of the Town Hall; was this room the same place that you described when you applied for employment at the committee-room?—No; it was several days before that I applied.

241. But, when you applied, did you mean for employment in this room?—Of course I did.

242. I suppose you understood that they were the committee-rooms?—Yes, I dare say I did. I supposed they were.

243. By the *Committee.*] But did you know anything about it?—I merely know that I was employed there.

244. Mr. *Mellor.*] You said just now that everybody was not admitted into those rooms?—I did not say so.

245. Was everybody admitted into this room?—There was lots of parties admitted.

246. Was everybody admitted?—I do not understand the question.

247. Were there any doorkeepers there?—Yes.

248. What

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248. What did the doorkeepers do?—I do not know. What is the duty of a doorkeeper?

249. Did they do their duty?—Will you tell me what the duty of a doorkeeper is?

250. Did the doorkeeper permit everybody that came to the room to enter the room?—If they had business there, I suppose they did.

251. Did they admit them if they had not business there?—I cannot tell.

252. As to the persons you saw going into those rooms, did you know any of them by name?—Yes.

253. Can you tell me the names of some of the people that you saw go in often?—I should enumerate a large quantity of people of Yarmouth if I did. Of course I can, because I have been brought up in Yarmouth all my lifetime; therefore, I know, I may say, almost any party there. I could enumerate any quantities of parties.

254. Have you seen Mr. John Cooper, the printer, go into the rooms, or any room there?—Yes.

255. Have you seen him often go in and out?—I have seen him there.

256. Have you seen Mr. John Eagleton?—Yes.

257. Do you know if Mr. John Eagleton had a private room there?—I do.

258. He had?—Yes.

259. Was that one of the three rooms you mentioned just now?—Yes, that is one of them.

260. Have you seen Mr. William Blyth there?—No; I do not think I have.

261. Are you quite sure?—I may say I did not see him there.

262. Do you think you might say you did see him?—There was so many parties coming there that I cannot tell.

263. Have you seen Mr. Harris Wilshack there?—That I cannot say, because I was employed in the room, and I do not know.

264. Just think a little?—Is it the old gentleman or the young one you mean?

265. The old gentleman?—No, I did not see him.

266. But you know your attention has been drawn to this before, has it not; you have been asked about this before, have you not?—Yes.

267. Just think, and remember whether you had not seen Mr. Harris Wilshack there before?—No, I never said so.

268. Have you seen Mr. Isaac Shuckford there?—Yes.

269. Have you seen Sir Edmund Lacon and Mr. Goodson there?—Yes.

270. You have seen them frequently?—Yes.

271. Have you seen them there every day?—I cannot say that.

272. Nearly every day?—No; because they did not come into our room. We were only clerks, you know.

273. You may have seen them go there, although you were only clerks?—Yes, I have seen them.

274. Were they always admitted into Mr. Eagleton's private room; did you ever see Sir Edmund Lacon and Mr. Goodson go into Mr. Eagleton's private room?—I cannot say that I have.

275. Can you say you have not?—No; I cannot, because it was Mr. Stirling Lacon's room.

276. Have you seen them go into Mr. Stirling Lacon's room?—No.

277. Then you say that John Cooper went there; have you ever seen John Cooper with Sir Edmund Lacon?—Yes.

278. Speaking to him?—Yes.

279. Many times?—Yes, several times.

280. What room was that?—I never saw him in a room.

281. Where have you seen him?—On the plain, just against the door.

282. Have you seen Mr. John Eagleton with Sir Edmund Lacon or Mr. Goodson?—No.

283. Have you seen Mr. John Cooper and Mr. Eagleton together?—Yes.

284. Inside or outside?—I saw them inside.

285. Have you seen them together?—Yes.

286. Have you seen them together just outside this room you have mentioned?—Yes, on the landing.

287. Have you seen Mr. William Blyth and Mr. John Cooper together?—No.

Cross-examined by Mr. *O'Malley*.

288. I believe you have been all your life a supporter of the red party there?—Yes.

289. And your father before you?—Yes.

290. He is one of the oldest Conservatives in Yarmouth?—Yes.

291. And you never voted against your party yet?—No.

292. I take for granted you had not the slightest notion of voting against your party then?—I did not do so.

293. Nor did not intend to do so? First of all, you say you were employed writing cards and addressing envelopes?—Yes.

294. You were writing, I believe, in the office where you tell me Mr. Teesdale was, and one or two other clerks of Mr. Reynolds?—Yes.

295. And that was your employment?—Just so.

296. You say that there was a room which was Mr. Stirling Lacon's room?—Yes.

297. Was that the room in which the gentlemen went in and out?—No.

298. There was a large room, I suppose?—Yes.

299. Which every one that chose went in and out of?—I do not know for that; I cannot tell you that.

300. You saw no one refused?—I saw a great many parties go out.

301. But you saw no one refused?—No, I do not know that I did.

302. I suppose you have seen a good many elections?—Yes, I have.

303. And you saw a great crowd and confusion there as one generally sees at elections?—Yes.

304. Every one busying himself about the election?—Yes.

305. Every one thinking that he was the most active and useful person in the place, I dare say; was not that so?—I dare say they were very active.

306. You told us there were three rooms; you have told us that there was Mr. Stirling Lacon's room?—Yes.

307. That there was Mr. Teesdale's room, and there was this large room?—I did not say Mr. Teesdale's room; it was the clerks' office.

308. But where was Mr. Eagleton's private room?—Mr. Stirling Lacon's room.

309. Is that what you call Mr. Eagleton's private room?—Yes; I saw him in there; they called it his room.

310. Who called it Mr. Eagleton's room?—I am sure I do. not know that anybody in particular called it so; it went by that name.

311. It went by the name of Mr. Stirling Lacon?

Lacon?—Yes, and his name was on the door; it was printed on the door.

312. You mean to say that is what you mean by Mr. Eagleton's private room?—That was the room where Mr. Eagleton was in.

313. Were you in that room at all?—No.

314. Then I need not ask you whether you ever saw Mr. Eagleton at all in Mr. Stirling Lacon's room?—Yes, I have.

315. How could you if you never were in it?—I could see the door open, could not I?

316. How many people have you seen there when Mr. Eagleton has been there?—Only him.

317. When was it you saw Mr. Eagleton alone in the room, for I think there must be a mistake upon that point?—I will tell you; there used to be some pens kept in the cupboard, and I had occasion to go there once, and I saw Mr. Eagleton there.

318. That was the only occasion you saw him there?—Yes, once or twice.

319. Tell me any other occasion when you saw him there?—I cannot tell you exactly; once or twice.

320. Once or twice you saw him there?—Yes.

321. You saw a good many other people there, did you not?—I only see the clerks go in just to get the paper.

322. Here is Mr. Stirling Lacon; and I ask you to recollect yourself; did you ever see Mr. Eagleton in that room of Mr. Stirling Lacon's at all?—No.

323. Did you ever see him in that room when Mr. Lacon was there also?—No.

324. Are you quite positive you ever saw him there at all?—Yes, I am positive; I have seen Mr. Eagleton there.

325. What was he doing?—I do not know; standing against the window.

326. That is all you saw him do?—That is all.

327. And that when Mr. Stirling Lacon was not there?—No, Mr. Stirling Lacon was not there then.

328. Was the door open, you say?—I had occasion to go into the room.

329. You found the door was open?—Yes.

330. And you saw Mr. Eagleton?—Yes.

331. You went in there; you had no business, except to get the pens?—Of course I had to go merely to get pens, that is all.

332. He might have gone to get the pens too, for aught you know?—I did not know what Mr. Eagleton was doing there, if you mean that.

333. And whether he went there for pens like you, or for ink or paper, or blotting paper, or whatever it was, you do not know?—No.

334. And you say that once or twice you saw him there?—Yes.

335. You were asked whether you saw Wilshack and various other persons there, and you told us that if you were to name all you saw there, you would tell us half the people of Yarmouth?—Yes, I could.

336. Going in and out?—I will not say half, because that is a large quantity, but a great portion; a large quantity of people passed in and out.

337. Some of them met sometimes on the staircase, I dare say?—Yes, it was an empty house, and an old-fashioned house.

338. Some of them met sometimes on the staircase going backward and forward?—Yes.

339. And some of them would meet outside the door?—Yes.

340. There was a good crowd outside the door, was not there?—Yes.

341. You said you saw Sir Edmund Lacon speaking to some of them; of course he was a candidate, and it was his business to speak to everyone at that time?—I suppose so.

342. And he did, did he not, speak at that time to every one?—Yes, he was very affable then.

343. He always is?—That is what you say.

344. You tell us you were employed in the county and in the borough elections both?—Yes.

345. And you earned your money?—Yes.

346. Were you bribed in any way to give your vote; did any one give you a bribe to give your vote?—What do you mean?

347. Were you paid for voting?—Paid! No.

348. I think you were employed rather more than four days, were you not, at the election altogether?—No; I think four days.

349. Just remember; was not it seven days?—There might have been a little overtime I think I was late one night.

Re-examined by Mr. *Cripps.*

350. What were you paid for; what did you receive this 5 *l.* for?—I suppose merely for being a clerk; only writing, I suppose.

351. It was for writing those four days; what did you write?—Addressing envelopes and writing cards to the electors.

352. You understood really that you were paid for that, and for that only?—Yes; and I asked for that.

353. About how many cards do you think you addressed?—I cannot tell you; it was a great many, for the electors. I forget now how many there was; it was a large quantity.

354. That was all you did then?—That was all I done.

355. This room, which you say, was known as Mr. Eagleton's room, just describe how it was situated with regard to the big room; did you come up to a landing, and then go into the big room?—Yes.

356. Or into Mr. Eagleton's room?—Yes.

357. The name of Mr. Stirling Lacon was on the door; but the room was known among you who were there as Mr. Eagleton's room?—Yes.

358. I want to know how that room was situated when you came up the landing; did you go in at one door from the landing to the big room, and then from the same landing to Mr. Eagleton's room?—No; it was an old-fashioned house; the staircase came up in the middle, and when you got to the upper landing you went one way or the other right and left.

359. So that both the doors of those rooms that you describe, Mr. Eagleton's room and the large room, opened on the same landing?—Yes; on the same landing

360. Except for the purposes for which those rooms were occupied, it was an empty house?—Yes, it was, before a gentleman died there.

361. An empty house, only occupied for the purposes of the election at Yarmouth?—Yes.

362. You say that you saw a large quantity of people there; did they come there about the business of the election?—I should think so.

363. That was all that was going on there at all, at those rooms?—I should say so.

364. When you say you saw no one refused there, was there anybody there whose business it was to admit or refuse people?—I do not understand

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stand the question exactly. Do you mean on the day of the election or before?

365. I am speaking of the time before the election, first of all?—No, not before the election.

366. On the day before the election, was there anybody there (you know what a doorkeeper means) stationed to admit people or to exclude people?—Yes.

367. Was there such a person there always at the door?—There was a person there.

368. On the days when the committee sat, before the election?—I do not know when they sat.

369. When the gentlemen were sitting there, was the doorkeeper there on the days before the election, or only on the day of the election?—I believe there was a doorkeeper.

370. You believe there was a doorkeeper on the days before the election?—Yes, I think there was.

371. You were pressed about the occasions when you saw Mr. Eagleton in the room which you have told us of; did you see him besides those occasions when he was in the room, going into the room or on the landing?—Yes, I see him going into the room.

372. Besides this time, when you say you saw him in the room?—Yes.

373. By the *Committee.*] You say you worked four days directing those circulars; how many days did you work for the county election?—Only one day.

374. And the payment which you received was for the whole time, for your services on both elections?—Yes, altogether.

375. There was some extra time that you were paid for?—Yes, I had a little extra time.

376. What are you?—An auctioneer.

[The Witness withdrew.

ROBERT STEWARD, ESQ., was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

R. Steward, Esq.

377. Do you produce the election accounts for the Great Yarmouth election of last year?—I do.

378. Have they been in your possession officially?—No.

379. Where did they come from?—My deputy.

380. Who is he?—Mr. Charles John Palmer.

381. What is Mr. Palmer?—A solicitor.

382. Was he one of the members of the firm of Reynolds and Palmer?—He is one of the members of that firm.

383. The same Mr. Reynolds who is the agent at the election?—He is a partner to Mr. Reynolds.

384. From whom did you receive them?—From Mr. Palmer.

385. We will assume that they are no doubt all correct; are they given to you for the purpose of bringing them here?—Yes, under the Speaker's warrant.

386. When was it you had them handed to you?—Yesterday, by Mr. Palmer himself. (*The witness delivered in the same.*)

387. By the *Committee.*] Have they been advertised?—Yes; I have a copy of the paper which they have been advertised in (*producing the newspaper, and handing the same to Mr. Cripps*).

388. Mr. *Cripps.*] This newspaper merely gives an abstract; have you the details of all those accounts?—Yes, I have, and the receipts for the different payments are here.

389. Are there separate bundles there according to the heads in your abstract?—Yes, I think there are.

390. Will you lend me the abstract for one moment, and I will ask you what I want?—(*The witness handed the abstract to Mr. Cripps.*)

391. "Tradesmen's bills, printing, stationery, advertisements, and registers, 133*l.*;" have you got the vouchers for that in a separate packet?—Which are you referring to?

392. Sir Edmund Lacon, and Mr. Goodson's; here is an abstract which makes up 133*l.* 8*s.* 1*d.*?—Under what head are they?

393. "Tradesmen's bills, printing, stationery, advertisements, and registers?"—They are here.

394. Are they there together in that package?—Yes, they are here together.

395. The first in the package?—I have no doubt it is so.

396. I do not desire to state anything except what I am instructed, but I am told that we have endeavoured to see them, and have not been able?—Not within six months; my answer is very clear upon that point. Application was made to me to look at the accounts.

397. By whom?—By Mr. Cosseton's clerk, on behalf of Mr Cosseton, on Friday or Saturday.

398. What was your answer?—I thought I would inquire of Mr. Palmer whether he had a right to see them, and, if so, he should have them, and I found that he was beyond the time which is allowed, namely, six months.

399. It was refused?—As beyond the time. I had no power to let him see them then. It happened that I had received the Speaker's warrant, and therefore I kept the papers, and the answer is clear enough.

400. September the 23d, is that the time that the accounts were advertised?—Yes.

The *Chairman* stated that according to the Act, the returning officer was required to preserve all the books and vouchers relating to the election, and that any person was entitled, on the payment of one shilling, to see them, provided the application was made within six months from the time of their being delivered to the returning officer.

401. Mr. *Cripps.*] You say that you consider you were justified in refusing them because application was not made within six months from the election?—No, I beg pardon; six months from the time when the accounts were delivered in had elapsed, from the 12th of September to the 12th of March; the 12th of September was the day they were delivered in according to Mr. Palmer's notes, which I hold in my hand. There is 14 days allowed for publication, and that brings it within the time.

402. By the *Committee.*] Six months after they had been delivered to him, are the words of the Act of Parliament?—Yes.

403. Mr. *Cripps.*] Then the application is restricted to six months, and if it was made on the 13th it was a day too late?—It was later than that, I believe.

404. They have never been delivered to you yourself till just now—lately?—I believe it is not usual to do so.

405. They were delivered to Mr. Palmer, and kept by him?—They were delivered to Mr. Palmer

Palmer, and kept by him, Mr. Palmer being my deputy.

406. Mr. *Cripps.*] This gentleman is the officer to whom the accounts should be delivered, according to the Act of Parliament; and in fact they were delivered to somebody else for him, and not delivered to this gentleman; they were kept by Mr. Palmer, who is the partner of Mr. Reynolds?—He was my deputy returning officer.

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407. By the *Committee.*] You were the returning officer of the borough?—Yes.

408. You were mayor, I believe?—Yes.

[The Witness withdrew.

Mr. Robert Etheridge was called in; and, having been sworn, was Examined by Mr. *Cripps*, as follows:

Mr. *R. Etheridge.*

409. Are you a voter for the borough of Yarmouth?—I believe so.

410. Do you know Mr. John Eagleton?—Yes, very well.

411. About a month before the election took place at Great Yarmouth, did Mr. Eagleton call upon you?—He did so.

412. Did any conversation take place between you, when he called?—A good bit.

413. Tell us what it was?—That would be rather difficult, but I will do my best. John Eagleton was my late landlord. I am a comparative stranger in Yarmouth. I had promised John Eagleton my vote; he had some property which I occupied.

414. Did Mr. Eagleton say anything to you as to the coming election?—He did.

415. What did he say?—He asked me to keep my promise with regard to my vote at the coming election.

416. Who for?—For Messrs. Goodson and Lacon.

417. What did you do or say then?—I said, "I will tell you what it is, Mr. Eagleton; we are strangers; I am a stranger in Yarmouth; I do not know anybody;" and I did not know anybody at that time, only my landlord. The property was for sale at that time, and I was wanting to get possession of the house I occupied.

418. What did you say to Mr. Eagleton, that is the question you know, when he asked for your vote, what did you say to him?—I said, "Mr. Eagleton, you know when I promised you my vote on a previous occasion, you were a liberal;" I said, "almost too liberal in your ideas for me; and now, from what I can make out, you have turned the other way; you have hauled down the blue, and hoisted the red."

419. What else did Mr. Eagleton say?—It did not matter to me, not a bit; things went a little bit cross and rough; I had a little bit of a matter that was going into Chancery; and he says, "you may want some money, and you may as well have a ten pound note as well as anybody else."

420. Who said that?—John Eagleton.

421. How long was it before the day of election that this conversation took place?—He kept running backwards and forwards a bit, and kept coming; and I said, "Look here, I tell you what it is; I have always voted for Liberal principles, and I cannot give you my vote," but he said, "Oh, that is all nonsense."

422. Was it when he first came to you about a month before the election, or was it upon some subsequent occasion, when you say he came backwards and forwards, that he told you what you have told us about the ten pound note?—He came about a month previous to the election, and said he should have an eye upon me.

423. Then, as I understand you, you saw him several times backwards and forwards, between that time and the time of the election?—I did not see much of him; he asked me to see him, but I did not go.

424. Did he come to your house again after that?—He did; but I was not at home.

425. Did he come again when you were at home?—No; I never saw him at my house.

426. I want to know when was it that the conversation you have told us of about the ten pound note took place; was it the month before an election when he first called, or at any subsequent time?—I should think that it was about a month.

427. Did you see him again between that time and the morning of the election?—Yes, certainly in my walks round about his vicinity.

428. When you saw him on these occasions, did any further conversation take place between you about the election; about your vote?—We did not get on. Of course I had promised him my vote upon the Liberal principles; and when I found that he doffed the blue, and pulled up the red, I altered and told him I should not vote at all; and then he said, "I suppose you, like every other man, want money," and then—so and so.

429. Was it when you met upon these walks, that this conversation took place?—About the time that we spoke of.

430. On the morning of the election, did somebody call upon you between 10 and 11 o'clock?—That morning and the morning before.

431. Do you remember whether it was the morning of the election, or the morning before?—I should not like to swear; but somewhere thereabouts.

432. Did somebody call upon you in the morning, either on one or other of these days?—Yes.

433. Did you know at all who that man was at that time, or was he a stranger?—I did not know his name. I knew where he lived.

434. Have you subsequently ascertained what his name was?—I have never seen him or heard of him, or know him at all in any way.

435. You did not at that time; but do you now know who he was?—No, I do not even now positively know. I know the name.

436. Never mind about being very positive?—You put me on my oath. I am bound to be pretty correct.

437. Who do you now believe it to have been?—I cannot give the name. I do not think I can give the name. I could find him and swear to him.

438. And you mean to say, you do not know his name?—I say I do not know his name.

439. Where does he live?—It must be No. 3 off the beach, nearly opposite the Royal Hotel.

440. No. 3 in what street?—That is it; now I do not know the street, though I have lived in the town three years; there are so many

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cross streets and byeways and alleys, it would puzzle anybody to make them out.

441. You surely know what street?—It is just off the beach; it would puzzle a fellow to tell exactly where.

442. Is it No. 3 which is opposite the hotel?—I will not swear; but it is opposite the back door of the Royal Hotel, Mrs. Simons's that was.

443. Should you know him if you saw him?—Yes, I think I should.

444. We shall have to keep you over till to-morrow?—I am very sorry to hear that.

445. Now let us hear, since you cannot tell what his name was, what he said or did when he called upon you?—To tell you the truth I hardly know what he did say. He said a very great deal and wound about a great deal.

446. Just tell the Committee what it was that he said to you, or did, when he called upon you on the morning before the election?—The real fact is, he said, "You know it is all very well, Etheridge; you know that there is a certain man whom you know, whom you were to have seen, or who was to have called upon you" I said, "yes, I do;" he said, "I will come down with the representative," then he said, "You want some money;" I said, "I had rather be off this business altogether; I do not know what your game is at all." Mr. Eagleton used to be upon the Liberal side of the question; as far as I know I always was a Liberal. I voted for the city of Norwich and the county of Norfolk, and also for the county of Suffolk upon the Liberal principle, and I said I could not listen to him; that was my answer.

447. What did he say then?—He left me.

448. What did he do before he left?—He said he would see me again.

449. Did he come again?—He did.

450. How long was he away before he came again?—Twenty-four hours; he came again the next day.

451. If you are right as to its being the day before the election, when he came again would be the day of the election; the morning of the election, would it not?—Do not let me make any mistakes; he came to me the day before the election, and tempted me the day before the election.

452. What did he do if he tempted you the day before the election; what did he do to tempt you?—Am I bound to answer that question.

453. Yes, I think so?—Even to criminate myself?

454. *Chairman.*] You are here to say the truth to the Committee?—Am I sworn to criminate myself?

455. Mr. *Cripps.*] Just tell us what it was that took place?—I may put the question I put just now; am I bound to answer it if it criminates myself.

456. *Chairman.*] You must state what took place between yourself and this unknown person?—I will tell you what he did say; he pulled out his purse and he set down 15 sovereigns upon the table. "There," he says, "you must go up with me to-morrow morning and give your vote for Lacon and Goodson. I shall call for you," and I said, "No, I am blowed if you will." I put the money in my pocket, for I was very poor at that time. I left it on the table half an hour before I picked it up, though.

457. He said he should call for you to take you with him the next day?—He did.

458. What happened the next day?—I said it was no use his calling for me, that I should go off like a dog with his tail cut, and give my vote.

459. Did you go and give your vote?—I did.

460. Who did you give your vote for?—Lacon a plumper, forgetting what I was after, entirely; for I did go like a dog with his tail cut to give my vote.

461. What do you mean by forgetting what you were about; did you mean to vote for the other member as well?—I should have voted for Goodson and Lacon if I had given it to their side at all.

462. I believe you did apply to have your vote altered?—I did make an application; the fact is I was thoroughly ashamed of my position in the matter.

Cross examined by Mr. *O'Malley.*

463. What are you, may I ask?—I do not know what I am; I ought to be a gentleman.

464. But you do not think you are one now, do you?—I think I have made a hole in it this last election.

465. Were you in business at one time?—I have not been in business this 17 years.

466. What business were you in then?—It was a manufacturing business with my father; my grandfather was a clergyman.

467. You have been through the Insolvent Court, have you not?—I have.

468. How often?—Only once.

469. The Bankruptcy Court?—Nay; I never went through both.

470. Just recollect yourself; have you not been through them both?—Only one; that is enough.

471. Where was that?—That was in Yarmouth.

472. When?—In 1862 or 1863, I will not swear to it.

473. Where were you before you came to Yarmouth?—At Ipswich.

474. How long were you in Ipswich?—Two years or more.

475. Where did you live before you went to Ipswich?—Where did I come from?

476. Yes?—I came from Thorpe, near Norwich.

477. How long were you at Thorpe?—Twenty years.

478. Was that where you became insolvent?—No, at Yarmouth.

479. What business did you carry on at Thorpe?—None at all.

480. I see you are very anxious not to be obliged to criminate yourself here?—I do not want to criminate myself more than is necessary; I come here to do my duty.

481. Did you tell those gentlemen you had received 15 *l.* before coming here?—May I ask who "those gentlemen" are?

482. Did you tell anyone before coming here that you had received 15 *l.*?—I do not think I did.

483. Do not you wonder how they ascertained that you had got the 15 *l.*, and told the Committee of it before you came into the room?—That is the only thing that brings me here; they have treated me very shabbily.

484. Would it surprise you here very much to hear that they went and told the Committee that you had received 15 *l.*?—No, I cannot say that it would.

485. How

485. How did they know that?—Mr. Eagleton told it; I have not the least doubt he went and told it; not one of my friends.

486. You have no doubt that Eagleton told them that you had received it?—I have no doubt of it: in fact I know it.

487. Whom did he tell?—A man of the name of Clements.

488. You say he told a man of the name of Clements that he had paid you 15 *l.*; did you hear him?—No.

489. Now, I ask you, upon your oath, did you not tell some of the agents on the other side that you had received 15 *l.*?—No.

490. Was not your evidence taken down before you came here?—It was to a certain extent; we had a sort of conversation which was taken down.

491. By whom was that taken down?—Am I bound to answer that question?

492. Yes?—I am brought into this unpleasant position——

493. I want an answer to my question; by whom was that conversation taken down?—By Mr. Costerton.

494. Did you not tell Mr. Costerton that you had received 15 *l.*—I will not swear that I did not.

495. Will you swear that you did not?—I should not like to be put upon my oath as to that.

496. But you are upon your oath; now, upon your oath, did you not tell him that you had received 15 *l.*?—If I make a mistake some one must make it right; it might be so.

497. Was it not so, upon your oath?—I will not say so.

498. Upon your oath you will not say whether you did or not?—I will not say whether it was 15 *l.*; I admitted that I had been led astray.

499. Do you admit telling him that you had been bribed?—I do.

500. What did you mean by making a pretence of not criminating yourself before the Committee, and not wishing to answer the questions that were put to you?—For a very good reason, because I promised to vote for my landlord upon Liberal principles, and he turned out a Conservative.

501. I understand from you that when this 15 *l.* was thrown down before you, you waited for half-an-hour before you got your conscience round?—I should not wonder if I did; even more than that.

502. May I ask what the process was you carried on with your conscience about it?—I do not know exactly; it is a ticklish thing is money, especially when a man is a little bit hard driven; and when a man is a little bit out of cash it is no joke.

503. You were open to temptation?—Yes, it looked like it.

504. Suppose some one else, some one on the other side, had met you, you would have been open to a little temptation again, would you not?—If there had been 500 on the other side, there would have been no difference.

505. What temptation has brought you here?—Necessity, nothing else.

506. What did you get for coming here?—Two sovereigns; not enough to pay my expenses.

507. Who gave you the two sovereigns?—The agent; I cannot remember his name.

508. What have you been promised after this is over?—Not a sous.

509. You say that you were so (what shall I call it?) so desperately depressed at going up to vote?—I did not say "desperately depressed;" I did not like it; it went against my feelings; there is something here (*touching his heart*) which makes a man think something about these things. Mr. *R. Etheridge.* 20 March 1866.

510. However, your conscience did not prevent the 15 *l.* going into your pocket, did it?—I am obliged to admit that.

511. And you were very much ashamed of it, were you?—I was very much ashamed of it.

512. Then why did not you return the money?—I wanted bread and cheese, almost.

513. You took that for bread and cheese then; very well; now did not you get a little something for butter on the other side?—Nothing.

514. You never went to them and told them of it, did you?—They will never say so.

515. We want to see what you say?—One is enough.

516. Now you have told us about your principles; what election at Yarmouth were you at before?—I was never at any.

517. Then how did you know that Mr. Eagleton was a Liberal?—Only from his conversation.

518. You told me about when you promised him your vote on a previous occasion; when had you promised him your vote?—I was in Yarmouth for three years.

519. But when was the previous occasion; you said that when you promised him your vote, on a previous occasion, he was a Liberal, and a little more liberal than yourself; what was that previous occasion?—I do not exactly understand the question, I must admit.

520. What did you allude to, or what did you mean when you told Mr. Eagleton, a month before the election, that when you had promised him your vote before, he was a Liberal?—I meant that I should not give him my vote at all.

521. But what did you mean by saying that; at what election was it that you had promised him your vote before that?—None; there had been no election.

522. I thought not, and therefore I wondered at the statement. Now is it true that when you promised him your vote before, he was a Liberal?—Yes, everyone knows that; everyone knows that John Eagleton was a Liberal to the backbone within the last twelve months.

523. Is it true that you said that, when you promised him your vote before?—That he was a Liberal, you mean.

524. Yes; now, when was it that you promised him that vote before?—In 1863.

525. At the general election?—No, that was in 1864, was not it? I have been under Mr. Eagleton four years, and he sold his property, one portion of which I wanted to purchase.

526. Was it at that election in 1863 or 1864 that you promised him your vote before?—It was the Yarmouth election.

527. Now, upon your oath, was there a Yarmouth election since you went to Yarmouth?—Yes, there was.

528. When?—In 1865.

529. But before 1865, when you had some conversation with Mr. Eagleton, you say it was 1864?—I had a conversation with Mr. Eagleton in 1863; I have been under Mr. Eagleton's tenure for four years.

530. Did you promise him in 1863 to vote for him in 1865?—To give him a vote for the general election.

Mr. *R. Etheridge.* 20 March 1866.

531. There being no general election then, did you promise to vote for him at the next election?—At the next election.

532. Now where have you been staying since you came up here?—I do not understand exactly.

533. Where did you come from to this Committee-room?—From the Exeter Hall Hotel.

534. Who are you staying with there?—The landlord, I suppose.

535. You know perfectly well what I mean; you know I do not mean the landlord?—Nobody is there with me that I know of.

536. Have you no companions there?—No; I do not know anybody. I do not know A from B, nor B from C.

537. Do you dine there?—I dined there last night at 6 o'clock, but I did not know anybody at the table.

538. You are certain that you knew nobody at the table?—No, I did not. I am a stranger to them, and they are all strangers to me.

539. Will you swear that there are not all the Yarmouth witnesses staying at this Exeter Hall Hotel that you talk of?—I do not know that. I tell you candidly, and I swear it, that I do not know Whig from Tory.

540. I am not asking you who were Whigs and who were Tories, but I am asking you whether the Yarmouth witnesses are not all staying at the same hotel with you?—I cannot answer that question.

541. Upon your oath, you do not know?—I cannot answer that question.

542. Did you see any Yarmouth man there?—None that I know; not one that I know by name.

543. They seem, some of them, to know you at all events?—At any rate I do not know them.

544. Do you mean to tell the Committee that you do not know where the Yarmouth people are?—I do.

545. Was Mr. Costerton there?—I have never seen him there.

546. Who was it who directed you to the Exeter Hall Hotel?—I was subpœnaed upon this election business, and I went there.

547. Can you tell me who went with you to the Exeter Hall Hotel?—I cannot answer that question. (*After some hesitation.*) The cabman, as far as I know; and he went wrong too, he did. I do not know, I am sure, who directed me there.

548. You think perhaps you can impose upon us in that way?—No, I do not want to impose upon you.

549. I want an answer to my question. Do you mean that as an answer to my question. I ask you who directed you, when you came to London, to go to the Exeter Hall Hotel?—Some man who lived down by the beach side there; I do not know who he is. I never saw him before in my life; he was a perfect stranger to me.

550. Who came with you in the cab from the station to the Exeter Hall Hotel?—They were perfect strangers to me the whole lot. There was a lady and a little boy, and another stout gentleman very much pockmarked.

551. Do you know him?—Yes, I know him by sight.

552. Then why did you tell the Committee that there was not a Yarmouth person at the Exeter Hall Hotel?—I did not say there was not a Yarmouth person at the hotel; I said I did not know anybody there.

553. Do you not know that the Yarmouth witnesses are there?—I tell you honestly, and I am quite ready to be put on my oath about it, that I do not know. There is only one man there that I know by sight; I did not know his name till yesterday.

554. I asked you if you knew that the people who came there with you were Yarmouth witnesses?—I do not know that they were.

Re-examined by Mr. *Cripps.*

555. You have been asked about what has been said to you on this election about Mr. Costerton; I wonder has anybody been to you on the other side?—Not anyone.

556. Has not any one from the other side been to you?—Not a soul.

557. You have not been asked to sign a paper, have you?—I have never had anyone near me.

558. Has nobody been to you to ask you about the evidence you were going to give here besides Mr. Costerton?—I have not had anyone near me.

559. Now this Mr. John Eagleton is your landlord, you say?—Right.

560. And you had had some conversation, as I understand, about an election before this time?—Right.

561. Was that with reference to elections generally, or with regard to any particular election that was then on?—With regard to the Yarmouth election.

The *Chairman* stated, with reference to the desire of this witness to avoid answering certain questions that might criminate himself, that no witness before an Election Committee could claim the privilege of avoiding a question the answer to which might hereafter be used against him. But that under the terms of the Act of the 26th and 27th of Victoria, c. 29, s. 7, any witness having made a statement tending to criminate himself may procure from the Clerk to the Committee a certificate exempting him from any proceedings which might otherwise have arisen upon such statement. On the witness being asked whether he would desire such a certificate—

The *Witness* stated that he would leave himself in the hands of the Committee.

Mr. *Cripps* stated that the attendance of this witness would be again required.

[The Witness withdrew.

Mrs. Emma Jones was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

Mrs. *E Jones.*

562. You are the wife of Mr. John Jones, a surgeon dentist, residing in Regent-road, Great Yarmouth?—Yes.

563. Do you recollect the election for Members of Parliament that took place last year?—I do.

564. Did anyone call at your house the evening before the election?—Some one called some time during the day, but I did not see him the evening or the day. I do not know which. I did not see him.

565. How

565. How did you know then that anybody called?—I went to the party to ask if the money was returned.

566. You are speaking about something being returned that we have not yet heard of; are you speaking about something being returned from your house?—Yes.

567. Do you know of your own knowledge how that something got into the house?—It was brought there.

568. Do you know that?—Yes.

569. Tell me if you can at what time in the day anybody brought anything, do not tell us what it was?—I cannot tell at what time it was brought because I did not look.

570. It was during the day?—Yes, it was.

571. *Chairman.*] During what day?—The day before the election.

572. Mr. *Sargood.*] Was the thing that was brought, brought by a man, woman, or child?—By a man.

573. Did you see that which was brought?—I did.

574. And being brought, was it left behind in the house?—It was.

575. Tell us what it was if you looked at it?—£.12 in half-sovereigns.

576. That means 24 half-sovereigns?—Yes.

577. That being left behind, what did you do with it?—It was taken back.

578. I am asking what you did with it, having looked at it?—I did not do anything with it.

579. Did you leave it where it was?—Yes, it was left on the mantelpiece.

580. Was it exposed, or where was it?—In a piece of paper.

581. I suppose you opened that piece of paper in order to look at it, did you not?—No.

582. Then how did you manage to see that there were 24 half-sovereigns in it?—My husband showed it to me.

583. Did you see him open it?—No.

584. What did he do with it?—He showed it to me. He was at home at the time it was brought.

585. Did he see the person who brought it?—He did.

[The Witness withdrew.

Mr. *Sargood* apologised to the Committee for the production of this witness, but stated that he was under the impression that she had a personal knowledge of the matter.

Mrs. *E. Jones.*

20 March 1866.

Mr. John Jones was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

586. You are a surgeon dentist practising at Great Yarmouth?—Yes.

587. You remember the election last year?—Yes, very well, indeed.

588. The day before the election did anybody call at your house whom you saw?—Yes.

589. Who was that?—John Eagleton.

590. Was he a stranger to you, or have you known him as a townsman?—I have known him as a townsman three or four years.

591. Did you merely know him as a person about the place, or were you personally acquainted with him?—I was personally acquainted with him.

592. Did Mr. Eagleton come in in his usual appearance on that day?—He came rather under a disguise with his handkerchief up to his mouth, pretending that he had got an excruciating molar.

593. You being a dentist that might perhaps have suggested the idea; having introduced himself to you, did he require anything done to his teeth?—No, nothing; teeth were not mentioned after he entered.

594. Just mention what he did want, and what he did not want?—He said he had a certain sum of money to give away, and that as he knew me very well he might as well give some of it to me as to any one else.

595. Having told you that, did you make any inquiries as to what was meant?—I asked him why or in what way he wanted me to vote; he said "for the Conservatives." I said, "I am rather astonished, because you have always been a Whig all your lifetime."

596. Did he account for that discrepancy on that occasion?—No, he did not; I only know it by hearsay.

597. Just tell us anything that Mr. Eagleton said?—Mr. Eagleton said he had been treated very badly by the Liberal party, and was doing all he could for the Conservatives.

598. What happened then?—He took some coin out of his pocket, in a piece of newspaper, and placed it on the mantelpiece, and said, "Mind, Jones, I do not give it you," placing it on the mantelpiece. I did not open the paper, but I said, "if I vote against your party I shall return it in the morning, before I go to the poll.

Mr. *J. Jones.*

599. What did Mr. Eagleton say to that?—He said, "All right, I do not care which way you vote," or something like it; he then put his handkerchief up to his mouth, and went out at the back entrance.

600. And he came in at the front?—He had come in at the front, on the Regent-road, and went out at the back.

601. Still with his handkerchief up to the imaginary toothache?—Yes, he put up the handkerchief before he left the garden.

602. Did he tell you why he did that?—He thought people were looking about.

603. *Chairman.*] Did he say so?—Yes.

604. Mr. *Sargood.*] I think you say this was the day before the election?—Beween four and five in the afternoon of the day before the election.

605. Did you count the money that was left in that paper?—I looked at it; I saw there were 24 half-sovereigns.

606. Will you allow me to ask what you did with that?—I unlocked my writing desk and put them in the compartment in which the wafers are generally put, and locked up the desk.

607. How long did they remain there?—Till the next morning; I immediately told my wife after she came home—

608. Never mind what you told your wife. Just tell us what you did with the money?—I locked it up in the desk.

609. Afterwards, what did you do with it?—I returned it to the party.

610. Who did you take it to?—John Eagleton.

611. Where was it that you returned it to him?—It was on the Jetty-road that I met him, and I said "here is the money"; but he said, "do not give it me here; come in here"; and that was an inn called the New "Royal Standard," kept by Mr. Johnson.

612. Did

Mr. *J. Jones.*
20 March 1866.

612. Did you go there in order not to give it him in the open street?—Yes, I went in; the parties there seemed to expect some one; I could tell by the sound that the landlord had a pocketful of gold; I knew the sound of gold, being a mechanic and worker in metals.

613. In that house did you return to Mr. Eagleton the 24 half-sovereigns?—Yes, and he put them in his trousers pocket.

614. Was that before you gave your vote at the election?—As near as I can recollect it was about 20 minutes to eight; the poll commenced at eight in the morning.

615. Having done that, I believe you did vote?—I did vote.

616. For whom?—For Brogden and Vanderbilt.

617. Was this house that you went into a house with any placards about it?—I did not perceive any.

618. Perhaps you did not interest yourself sufficiently in the election to observe where the placards were?—I do not remember seeing placards on any of the public-houses.

619. Did you see any on any private houses?—I do not recollect seeing any excepting upon flies and vehicles that were running about the streets.

620. You were not taking an active part in the business at that period, were you?—No; I knew very little about it.

Cross-examined by Mr. *Clerk.*

621. May I ask where you are staying at present in London?—At the Exeter Hall Hotel.

622. You came down in a cab from the railway station, when you came up from Yarmouth, with a gentleman who has graced this chair to day, Mr. Etheridge?—Yes, I sat beside him.

623. Is he an old friend of yours?—I have seen him, but I cannot say he is a friend of mine; I have met him occasionally at hotels.

624. You have met him occasionally and had a cheerful glass together?—I know very little of him. I did not know even his name. I called him Chamberlain.

625. Perhaps he has sometimes gone by the name of Chamberlain?—No, I believe not; but I did not know what his name was.

626. At all events you are staying at the same hotel, and came down in the same cab from the station?—Yes.

627. At what time of the day was it that Mr. Eagleton called, according to your story, and left this money, the 24 half-sovereigns?—Between four and five in the afternoon.

628. Were you very much annoyed?—He had for a long time been saying rather publicly, that he could command my vote, and two or three others, and I expected that if I was to be paid for doing as he liked I should not have been insulted by so paltry a sum.

629. This was between four and five in the afternoon, you say; now your residence is where?—In the Regent-road.

630. Where does John Eagleton live?—In Victoria Lodge, that faces the Nelson-road.

631. How far is that?—That is nearly a mile and a half from my residence.

632. I dare say you take a walk sometimes of a summer's evening?—Yes.

633. How was it that you did not take the money back to Mr. Eagleton upon the evening that he left it at your house?—I told him that I should return it before I voted, and I had had quite enough, what with business and what with the election, that I devoted the rest of the evening to my own enjoyment.

634. But you say you took the piece of paper and showed it to your wife; why did you not return it to Mr. Eagleton?—Because I thought in the morning would be time enough. I knew that he was very particularly engaged, but I knew I should find him in his own house early that morning.

635. So that that is the only reason you did not return the money that night, is it?—I will swear it.

636. Did you see anybody else that evening?—Only when I was out in the evening.

637. By chance did you meet anybody who, you tell us, that your vote might be commanded by Mr. Eagleton for a sum larger than 12 *l.*; did anybody else try to command you?—Yes, a great many, I dare say.

638. Just tell us who?—I do not know that I have a right to answer that question, as it would implicate other people.

639. I think this is a court of implication, and therefore you ought to answer that question?—My vote had been solicited by all parties.

640. Yes, no doubt; but you knew of something better than 12 *l.*, did you not?—I am a poor man, and I do not refuse money; we all like it.

641. Was there something better than that 12 *l.* which occurred before 8 o'clock that morning when you went to Mr. Eagleton again?—It might be a trifle better.

642. How much better?—£. 3, 10 *s.*

643. £. 3, 10 *s.* better commanded John Jones. Now one question more; who was the gentleman who could command that difference of 3 *l.* 10 *s.*?—I employed an agent. I would not be seen in the dirty work myself.

644. You employed somebody to finance for you?—The man who came soliciting for the party, he said that he had got plenty of money, and could get me some.

645. Who were you to vote for in that respect?—Brogden and Vanderbilt.

646. £. 3, 10 *s.* extra, was it?—I would have had more, if I could have got it.

647. *Chairman.*] You say you employed an agent; who did you employ?—The same person who asked me if I would vote for the Liberals.

648. Who was it?—Joseph Foulsham was the man's name.

Mr. *Sargood* desired to ask, through the Committee, whether the Witness had been asked by the other side to sign any document since the election.

Mr. *Clerk* objected to the question, on the ground that it could not arise out of anything that had appeared in the cross-examination.

649. *Chairman.*] You say Joseph Foulsham was the agent; did Joseph Foulsham come to you?—Yes.

650. Did he come to you after Mr. Eagleton was there?—No; he came in the morning.

651. Before Mr. Eagleton was there?—Yes.

652. Did he offer you any money in the morning?—He said he could get some for me.

653. Did he name any sum?—Yes; he named 15 *l.*

654. He

654. He said he could get 15 *l.*?—That was the sum he got for himself on the previous day, I believe. I cannot recollect whether it was a day or two days before.

655. Did you communicate to Mr. Eagleton in the afternoon what passed between you and Joseph Foulsham?—Yes; I said as much as that I had had an offer by the other party of more.

656. What did he say to you?—He said, "If you go with me to the 'Angel,' or go there and ask to see Mr. Edwards, he will give you the money, or a ticket for the money."

657. Did he offer you any more than the 12 *l.*?—He said he could get 15 *l.* for me; but I said I should want more.

658. You told Mr. Eagleton you could get more than that?—No; Mr. Foulsham.

659. Did you have any conversation with Mr. Eagleton after you had seen Joseph Foulsham?—I said the other party would give more.

660. Did you name what the other party would give?—No, I did not; if I did, I named a larger sum.

661. A larger sum than 15 *l.*?—Yes; I think I named 20 *l.*, or something of that kind.

662. You named 20 *l.* to Mr. Eagleton?—I know I named a larger sum than what Mr. Foulsham stated he could get for me.

663. Then, in the course of the evening, after you had seen Mr. Eagleton, did you go to Foulsham?—No; I think it was previous to seeing Mr. Eagleton. I think it was between three and four that Foulsham came, and he said that he could get it, but that it would be hard work; he said he could get a pound more, and I said, "There is half-a-sovereign for your trouble." *Mr. J. Jones.* 20 March 1866.

664. I understand you to say that you then had 3 *l.* 10 *s.* more from Foulsham?—Yes; exclusive of half-a-sovereign that I gave him.

665. You mean you received 16 *l.* altogether?—Yes; I gave him half-a-sovereign for his trouble

666. When was that?—In the evening.

667. After Mr. Eagleton had been with you?—Yes.

668. You received that money for your vote the next morning?—I received it in the evening.

669. Mr. *Clerk* (*through the Committee*).] What was the "Angel"; whose house was it?—I do not know the name of the landlord; but I believe it was a Liberal house.

670. Was it the head-quarters of the committee?—Yes; it was the head-quarters, I believe, where the committee was sitting.

[The Witness withdrew.

[Adjourned to To-morrow, at 11 o'clock.

Wednesday, 21st March 1866.

THE RIGHT HONOURABLE JOHN ROBERT MOWBRAY IN THE CHAIR.

The Names of the Members were called over:—All present.

EDWARD MORTER was called in; and, having been sworn, was Examined by Mr. *Mellor*, as follows:

671. WHAT are you, and where do you live?—I am a Bellhanger and Gunsmith, and I live at No. 9, Northumberland-place. *E. Morter.* 21 March 1866.

672. Do you remember the last election at Great Yarmouth?—I do; I remember it quite well.

673. Did you meet anybody some time before the election in reference to the election in any way?—I saw Mr. Eagleton some time previous to the election.

674. Had you known Mr. Eagleton before that time?—I had several years.

675. Did Mr. Eagleton say anything to you when you met him on this occasion?—He merely asked me which way I was going to vote.

676. What did you say to him when he asked you which way you were going to vote?—I told him I should vote for Lacon and Goodson; at least that was my principle.

677. Did he say anything further to you when you said that?—I do not know that anything else was said. I do not remember anything else being said.

678. Was nothing said to you about voting more than that by Mr. Eagleton?—I do not remember there was anything else said at that time.

679. Was anything said to you by Mr. Eagleton after that time?—Well, I had some conversation with Mr. Eagleton, but not about election business.

680. When did you next see Mr. Eagleton about the election?—I think it was about three or four days before the election.

681. When you saw Mr. Eagleton about the election, what happened then; what was said?—He said, which way, of course; at least he asked me which way I was going to vote.

682. What did he say?—I scarcely know what he did say.

683. Do not you think you can remember if you tried?—I merely told him that was my way of voting, and I should vote for Lacon and Goodson.

684. You told him that again; what did he do; did he do anything; did he give you anything?—Well, I certainly received a small sum.

685. That is just what I want; you received a small sum; what was the amount of that small sum which you received?—Well, I received 10 *l.*, but I do not consider that was anything. I should have voted that way if I had not received a penny.

686. But you received 10 *l.*?—Yes I did. I will not deny it.

687. And that was three or four days before the election, I think you said just now?—No, I did not say so. I said the last conversation we had was three or four days before the election.

E. Morter.

21 March 1866.

688. I want to know when you received this small sum?—I received it the day before the election.

689. What did Mr. Eagleton say when he gave you this sum?—What did he say? He said, "That has nothing to do with anyone; that is my own money that I am giving you now."

690. Who gave you that sum of money?—I told you.

691. Who was it, tell me again?—I told you, Mr. Eagleton. He told me at the time that it was his own money. He and I have been friends for several years.

692. What did Mr. Eagleton say in exact words when he gave you this sum of money, or as near as you can remember his words?—Well, as I say, I voted the way that I always did. I merely took the money as for my trouble, and for loss of time, and anything of the kind going up. I do not consider it was a bribe at all.

693. You say that it was for your loss of time and trouble?—Yes.

694. How much time did you lose by going to vote for Lacon and Goodson?—Well, I do not know; I might lose three or four days. I do not know that I was compelled to do it, but still it was a loss of time to me.

695. How much time do you consider you lost, or did you lose?—I do not know what time I might lose; it might be considered a loss of time.

696. How far was the polling booth from where you live?—I do not understand you.

697. How long did it take you to walk from where you live to the place where the votes were given, that is to say the polling booth?—I should say about 10 minutes.

698. Would it take you 10 minutes to walk back?—I dare say it did.

699. How long did it take you to give your vote?—Not five minutes, of course not.

700. Then to go and give your vote and come back it would take you a quarter of an hour?—I consider that I did not take that as a bribe, because I was not influenced by any party to do it.

[The Witness withdrew.

CHARLES GEORGE HUNT was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

C. G. Hunt.

701. I BELIEVE you reside in London, do you not?—Yes, I do.

702. At No. 7, Randall-terrace, South Lambeth?—Yes.

703. You are a Plumber?—Yes, a Master Plumber.

704. Have you a vote for Great Yarmouth?—I had one. I do not know whether I have now or no.

705. Did you receive any application from anybody for your vote at the last election last year?—I did.

706. Was that an application by letter?—Yes.

707. Have you got the letter here?—I have.

708. Just produce it; are there more than one?—There are two (*the Witness produced the same*).

709. Are they in the envelopes in which they came?—No, not in the same envelopes.

710. What has become of the envelopes in which the letters came?—One came enclosed to my father, but they were forwarded to me.

711. Mr. *Clerk.*] You did not receive that letter?—I did, unopened.

712. You did not get any envelopes addressed to your father?—No.

713. Your father can only tell us about that?—Here is the letter addressed to me in the envelope addressed to me.

714. Tell us which you did receive?—I received these two letters.

715. Mr. *Sargood.*] Did they come to you by post or by hand?—By post.

716. Both of them?—Both of them.

717. Are they both from the same person?—I believe they are.

718. What is his name?—Hutchins.

719. Mr. *Clerk.*] Do you know the handwriting?—I could not swear to the handwriting, but I feel it is from the same person, because when I was in Yarmouth——

Mr. *Clerk* objected to the evidence.

The *Chairman* stated that at present nothing had been said which could affect the sitting Members, and that the letters produced were, for the purposes of this inquiry, merely two pieces of paper.

720. Mr. *Sargood.*] You say they were both from a person named Hutchins.

Mr. *Clerk* objected to the question.

721. Mr. *Clerk.*] Signed by a person named Hutchins?—Yes.

722. Did you know a person of that name resident at Yarmouth?—Yes.

723. In consequence of receiving those letters, did you go down to Yarmouth, and have an interview with Hutchins?—No.

724. Did you go down to Yarmouth at all?—I did.

725. *Chairman.*] But in consequence of those letters?—No.

726. Mr. *Sargood.*] Did you in consequence of the letters go to Yarmouth?—No.

727. Did you go to Yarmouth after you had received the letters?—I did.

728. Did you see Mr. Hutchins while you were at Yarmouth?—No.

729. Who was the Mr. Hutchins at Yarmouth, whom you knew?—I have known him some time.

730. What was he?—I believe he kept a lodging house at No. 2, Marine-terrace. I have seen him repeatedly, being in business there.

731. Did you happen to call at No. 2 Marine-terrace while you were there?—No, nor saw him.

732. You did not happen to see him?—I never intended to see him.

733. You being a Yarmouth man I suppose you know many persons in Yarmouth besides Mr. Hutchins?—Yes, a great many, of course.

734. Did you happen to know a person of the name of Eagleton?—Yes; quite well.

735. What is he?—I believe he is a agent or something of that sort. I do not know exactly what

what he is, he is a retired baker. He is an agent for Clew or something in Yarmouth, I could not say exactly what it is.

736. By the *Committee.*] What do you mean by an agent?—By seeing him go to Mr. Clew's office.

737. Who is Mr. Clew?—In Regent-street, a solicitor. I thought he must be an agent from seeing him there.

738. Mr. *Sargood.*] How long were you at Yarmouth on this visit after getting the letters?—I went away on the Monday; from Monday till the Sturday.

739. A week?—Yes, one week.

740. Was that during the week that the election took place?—Yes.

741. You saw Mr. Eagleton how many times?—I never saw Mr. Eagleton at all.

742. I thought you told me you did?—No, I did not see him this time.

743. But you did see him?—No, I did not.

744. Did you vote at the election?—Yes.

745. You will not mind telling me, I daresay. Will you tell me who you voted for?—Of course not. I voted on the Liberal cause.

746. And you did not see Mr. Eagleton the whole of the week you were down there?—No.

747. Did you see any one connected with him that you know of?—No, not a soul.

748. What were you doing with yourself all the week?—I had business to do besides voting.

749. Personal business of your own occupied you?—Yes, private business.

750. Do you know Mr. Eagleton's handwriting?—I cannot swear to it; I would not swear to it.

751. I am not asking you to swear to it. I am asking you whether you think you know it?—I fancy I should.

752. You fancy you do. You mean you fancy you should if I showed you some?—Yes.

753. I suppose you have seen it before to-day, or you would not have that fancy?—Many times.

754. You have seen his handwriting many times; did you see it about the time you received the two letters you have told me of?—No.

755. Have you the envelopes in which you received the two letters which you have spoken of?—No, I have not.

756. Where are they?—I cannot tell you.

757. What did you do with them?—I did not do anything with them. My wife put them away. My wife frequently burns the envelopes, and keeps the letters.

758. Do you believe they are burnt?—Yes, I do.

759. As you know Mr. Eagleton's handwriting pretty well, will you tell me—— *C. G. Hunt.* 21 March 1866.

760. Mr. *Clerk.*] Did you burn those envelopes yourself?—No.

761. Did you see them burnt?—No; but my wife told me she burnt them.

762. Never mind what your wife told you; have you ever yourself looked for them?—I have.

763. When did you look for them?—I have looked for them several times.

764. Mr. *Sargood.*] Did you notice the handwriting of the envelopes?—Yes.

765. Do you think you know whose it was?—I do.

766. Mr. *Clerk.*] Before we can have that, we must know what means you have of knowing. I do not ask you whose writing you think it was; but attend to my question; did you ever see the person write who you think wrote those envelopes?—Yes.

767. Have you seen that person writing?—Yes.

768. How often?—Several times.

769. Mr. *Sargood.*] Just tell me whose writing you believe the envelopes were?—I believe the envelope addressed to me was the handwriting of Mr. Eagleton.

770. Both of them?—Both of them.

771. But the letters inside were not from Mr. Eagleton?—No.

Mr. *Sargood* stated that he proposed to put in these letters as evidence.

Mr. *Clerk* objected.

The *Chairman* stated that the Committee could not receive the contents of those letters.

Cross-examined by Mr. *Clerk.*

772. You have mentioned Mr. Eagleton as the agent for, did I catch the name of, Mr. Clew; do you say he was agent for Mr. Clew?—I did not say that he was. I fancied he was, because I had seen him going backwards and forwards to the office on different mornings.

773. Mr. Clew is a solicitor at Yarmouth?—Yes, I believe he is.

774. He is a Liberal agent, is he not?—I do not know that; I do not know what agent he is.

Mr. *Clerk* stated that there was sufficient evidence of Mr. Clew's agency in the account that he had delivered as agent for Mr. Brogden.

Witness.] I am speaking of about two years ago.

[The Witness withdrew.

Mr. HENRY GOODWIN, was called in; and, having been sworn, was Examined by Mr. *Mellor*, as follows:

775. What are you?—I am Secretary of a Public Company in Yarmouth. Mr. *H. Goodwin.*

776. What is that Company?—A company called "The Free Press Newspaper and Printing Company," limited.

777. In the month of March last, did you see the address of either of the candidates at the last election?—I did in March 1864. The first address I am alluding to.

778. Do you remember when the last election was?—I cannot remember the date, it was some day in July. July the 17th, I think, 1865.

779. Shortly before that, did you see the address of any of the candidates?—Yes.

780. Whose?—I saw the addresses of Sir Edmund Lacon and also of Mr. Goodson.

781. Where did you see them?—I saw them circulated in the town.

782. Were they circulated by hand bills?—Yes.

783. Were those hand bills signed by anybody?—I believe they were; I could produce one if you wish; I have one of the addresses if you wish it.

784. Will

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784. Will you produce the one that you have?—Here it is (*producing the same, and handing it to the learned Counsel*).

785. Mr. *O'Malley.*] This is Sir Henry Stracey's; not one of the addresses of the sitting Members?—Yes.

786. Mr. *Mellor.*] Have you got one of the addresses of the sitting Members?—No, I have not; there was an address came out at the same time from Mr. Goodson.

787. You say you saw the address of Mr. Goodson shortly before the last election?—No; in March 1864, I say.

788. I ask you shortly before the last election did you see any addresses?—There were several addresses that I saw.

789. Did you see Mr. Goodson's address?—Yes, I saw the notices.

790. Shortly after you had seen the addresses of the candidates, did you meet anybody, or did you make any application to anybody?—Not directly previous to the election.

791. Some time before the election?—Some long time; in March 1864 when the first address of Mr. Goodson came out.

792. Whom did you make the application to?—I made the first application to Mr. Preston.

793. Do you know Mr. Preston?—Yes, well.

794. Who is Mr. Preston?—Mr. Preston is a gentleman in Yarmouth, a timber merchant, and a magistrate for the borough.

795. What application did you make to Mr. Preston?—I applied for permission to insert the address of Mr. Goodson in the Yarmouth Independent.

796. Did you make that application to Mr. Preston on the usual terms as a matter of business?—Yes, knowing that if he gave the order it would be all right.

797. What did Mr. Preston say to you upon it?—Mr. Preston expressed his readiness for the advertisement to appear; he said he wished it to appear, but he wished me to consult another gentleman about it first.

798. Who was the other gentleman?—A gentleman by the name of Mr. Charles John Palmer, of Yarmouth; Mr. Preston said he was a member of the committee, and Mr. Palmer was also a member, and that he wished I should see Mr. Palmer first.

799. Did you call upon Mr. Palmer?—I did.

800. What did Mr. Palmer say?—Mr. Palmer said he also had no objection, and he would send the advertisements very shortly.

801. Was one of the advertisements afterwards sent or did anyone bring it to you?—The two addresses, Sir Henry Stracey's and Mr. Goodson's address were brought me by Mr. Cooper, a printer in Yarmouth.

802. What did Mr. Cooper say when he brought the address?—He said the advertisements were to appear in that week's issue, and to be charged to his account.

803. By the *Committee.*] Which advertisements are you referring to?—Mr. Goodson's first address announcing his intention to come forward for the borough; his first address that was issued in 1864.

804. Mr. *Mellor.*] What did you say?—I told him I could not receive the order through his hands or from him, as there were reasons that would compel me to refuse taking the order from Mr. Cooper personally; I also told him that I had received a previous order from Mr. Preston upon which I should act in preference to his order.

805. Did Cooper say anything upon that?—He seemed very much annoyed to think I would not take the order, and said that if I refused to take the order from him I should not have it at all.

806. Shortly after that did you see Cooper again?—Cooper, before he left the office, said he should see Mr. Preston about it, and if I refused to take the order from him I should not have it at all, and that I should go and complain to Mr. Preston.

807. Did Cooper go away then?—Yes, Cooper went away.

808. Shortly after that did you see Cooper again?—I did, in company with Mr. Preston.

809. About when?—About a quarter of an hour afterwards.

810. When did this interview with Cooper take place?—It took place on Friday morning the 11th of March 1864. He left the office, and in about a quarter of an hour afterwards I saw him again, in company with Mr. Preston, and they stopped me.

811. What happened when you saw Cooper again in company with Mr. Preston?—I was addressed by Mr. Preston: "We want to know what all this nonsense means, about refusing to take the order through Cooper," and stated that if we did not choose to take orders from the person that they regularly employed in these matters, why, I must go without them.

812. Did you afterwards insert the advertisement?—Yes, I left Mr. Preston and Cooper, and afterwards inserted the advertisement; I took it upon my own responsibility to do so, although I had contrary orders from the Board of Directors not to take any orders from Mr. Cooper at all.

813. However you did insert it?—I inserted the two addresses, and I have the paper containing the addresses in my pocket (*handing the paper to Mr. O'Malley*).

814. Mr. *O'Malley.*] I see the paper is dated March the 12, 1864?—Yes.

815. It is Sir Henry Stracey's address, intimating his intention, whenever the election occurs, to withdraw, and Mr. Goodson intimating his intention, when the election occurs, to present himself?—Yes.

816. Mr. *Mellor.*] To whom did you send the charge for the advertisements?—I charged it to Mr. Cooper's account, according to instructions marked on the bill itself, signed by Mr. Charles John Palmer. On the bill which I have now presented to the learned counsel you will find it indorsed on the back.

817. Who paid for it; was it paid for?—It was paid for by Mr. Cooper; I have brought the book here as a voucher for the payments.

818. Do you know where the committee-rooms of Sir Edmund Lacon and Mr. Goodson were?—Yes.

819. Where were they?—They occupied a house close to the town hall, on the quay.

820. Was it at the back of the town hall?—Yes, you may call it at the back of the town hall.

821. Had you occasion to go to the committee-room?—Yes, I had occasion to go there.

822. Many times?—Several times.

823. Whom did you go to see when you went to the committee-rooms?—I believe on each occasion

sion I went to see Mr. Reynolds, some three or four occasions I had to see him.

824. Do you remember how many rooms there were?—No. There were many, I cannot tell how many.

825. Were any of the rooms labelled?—Yes.

826. What was upon the labels; do you remember on any of the rooms?—Yes; they were labelled "Messengers'-room," I believe; and I believe there was one, Mr. Reynolds's own room, with "Private, Mr. Reynolds" on it, or something of that sort; I will not be sure, but I believe so.

827. Were there any placards on the walls?—Yes.

828. On the windows?—Yes, the house was placarded with bills.

829. Do you remember what the placards were?—Yes; I think there was "Vote for Lacon and Goodson" on several placards, and I believe there were "Lacon and Goodson's Committee-rooms," on other placards.

830. To the best of your knowledge that was so?—Yes.

831. Do you remember the names of any persons you saw at the committee-rooms besides Mr. Reynolds?—I saw Mr. Lacon and I saw Mr. Reynolds, but I am not aware that I saw anyone else that I knew particularly. There were many persons that I knew by sight; they were principally clerks and messengers.

832. Do you recollect the names of any other persons you saw there?—No, I do not; I cannot remember.

833. Were there any door-keepers at those rooms?—Yes.

834. What rooms did you go into when you went there?—Principally into the waiting-room; Mr. Reynolds was generally engaged when I went, and I had to wait a certain time till I could see him. I was generally asked into the waiting-room, some room on the same floor as Mr. Reynolds's.

835. Did Mr. Reynolds come to you, or were you shown to Mr. Reynolds?—On one occasion Mr. Reynolds came out to me; on another occasion I went into Mr. Reynolds's room.

836. Mr. Reynolds's private room?—Yes. *H. Goodwin.* 21 March 1866.

837. What room were you in when Reynolds came out to you?—In the waiting room on the same floor.

838. Was there a door-keeper at that room?—Not exactly in attendance on that particular room perhaps, but about the passages there were door-keepers and persons attending to the business.

839. Do you mean there were other persons besides yourself waiting?—Yes.

840. Do you remember the names of any persons whom you saw waiting there besides yourself?—No, I cannot.

841. Were you present at the nomination, the day before the election?—Yes.

842. Do you remember who nominated Sir Edmund Lacon?—I believe it was Mr. Preston.

Cross-examined by Mr. *O'Malley.*

843. Mr. Preston is a well-known partisan of the Red side, I suppose?—Yes, he is very well known in Yarmouth.

844. The bills that were brought to you were printed bills, were they not?—Yes, that is one of them which you hold in your hand.

845. And Cooper is a printer?—Yes, he is.

846. And it is a common thing for printers to send advertisements to the papers?—Yes, quite so.

847. And they get a commission of their own upon them?—Yes, they do.

848. You are the editor of the Liberal paper, I believe?—No, I am not.

849. You are connected with the Liberal paper?—I am connected with the Liberal paper; I am the Secretary to the company who publish the paper.

850. And you went to these rooms; there was no one that prevented you from going to those rooms; and you waited your turn to see Mr. Reynolds in the waiting-room?—Yes, certainly.

851. You went in and saw him?—Yes.

852. And he was the agent conducting the election?—Yes.

[The Witness withdrew.

William Dawson Eastwick was called in; and, having been sworn, was Examined by Mr. *Sargood,* as follows:

853. Are you a messenger in the Telegraph Office at Great Yarmouth?—Yes. *W. D. Eastwick.*

854. How long have you been employed in that place?—Nearly a year.

855. You were junior messenger before, I suppose?—Yes.

856. Are you senior now?—Yes.

857. That is to say, you are the old boy amongst the messengers who run about?—Yes.

858. Is it part of your duty to carry out telegraphic messages that have to be delivered?—Yes.

859. I suppose you were very busy at the last election?—Yes.

860. Do you remember it?—Yes, quite well.

861. Are you a Yarmouth lad?—Yes.

862. Do you happen to know Mr. Reynolds, who lives there?—Yes.

863. The solicitor, I mean?—Yes.

864. Do you remember his coming to the Telegraph Office before the election, about anything?—Yes.

865. Did you see him?—I did not see him at the office; I met him outside.

866. Did he give you any directions?—Yes.

867. Just tell us what they were?—He said that if any messages came for him they were to be taken to the Conservative Committee Rooms.

868. Did he tell you whereabouts that was?—Yes.

869. Where?—Opposite the Town Hall.

870. On the Quay?—Yes.

871. You knew it, I suppose?—Yes.

872. Did he say what you were to do with them if he did not happen to be in?—Yes.

873. What was that?—He said anybody would take them there.

874. And do what?—And sign for him.

875. Do you always have a book, or something of that sort, to sign when you leave a message?—It is a paper.

876. You being a messenger, did you take a great many messages to the Conservative Committee

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mittee Rooms?—Before the election I did take a few; I do not know that it was many.

877. What sort of a place was the Conservative Committee Room when you got to it?—It was a room with a table.

878. What did the house look like; how did you know it; had they painted it blue or red, or anything?—No, I did not notice that; only by the band.

879. Did you see Mr. Reynolds at the Committee-rooms when you took any messages?—Yes.

880. When you saw him, I suppose you gave him the messages?—Yes.

881. Did you sometimes go and not find him there?—Yes.

882. Can you tell me whom you gave them to then?—Some of them, I remember distinctly giving them to Mr. Cooper.

883. Cooper the printer?—Yes.

884. He was a gentleman you know very well when you saw him, you knew him in Yarmouth?—I knew him by being at the printing office.

885. When you saw Mr. Reynolds there, do you remember what room you saw him in, up stairs or down, or where it was?—An upstairs room.

886. Was there more than one room upstairs?—I did not notice that.

887. How did you know that room when you got to it?—There was a porter standing outside the door.

888. That did not tell you it was Mr. Reynolds' room?—No.

889. How did you find out that it was his room?—I asked.

890. Asked for Mr. Reynolds?—Yes.

891. Then did the porter let you in, or did he ask you who you were?—He let me in by my uniform.

892. You had your uniform on, and he knew who you were?—Yes.

893. When you got into the room whom did you find with Mr. Reynolds?—I do not know many of the gentlemen that were there.

894. You did see some gentlemen with him?—Yes.

895. But you do not know their names?—No.

896. You gave him the messages?—Yes.

897. When he was not at home, and when you had to see Mr. Cooper, what room did you find him occupy?—Sometimes in the Committee-room, sometimes on the stairs. I have met him sometimes on the stairs.

898. Is the Committee-room you talk of a different room to the one you saw Mr. Reynolds in?—No.

899. It was the same room?—Yes.

900. Then you would see Mr. Cooper in the same room where you saw Mr. Reynolds?—Yes.

901. Would you then give him the telegraph messages?—Yes.

902. I suppose you made him sign the paper, whatever it was?—Yes.

903. Did you ever see Mr. Cooper there while Mr. Reynolds was there?—I could not say exactly.

904. Just try and remember; did you ever find Mr. Cooper and Mr. Reynolds together at the same moment, when you went to deliver a message?—No.

905. You do not remember that?—No.

Cross-examined by Mr. *O'Malley.*

906. Just try and recollect about how old this Mr. Cooper you saw was?—Between 20 and 30.

907. Was he 20, should you think?—Yes.

908. Young Mr. Cooper, was it not?—It was a young man.

909. You know very well he was the son of the printer was not he?—I always thought he was the printer. Mr. Cooper, the printer.

910. But it was not old Mr. Cooper, the printer, you saw there?—I do not know only this Mr. Cooper the printer.

911. And this is a young man?—Yes.

912. Just describe this man that you saw there?—He was tall, rather thin.

913. Was he a pale man?—I cannot say exexactly whether he was pale.

914. He had not much colour about him?—No.

915. You do not know that the father is a stout man with a very red face?—No.

916. You say that you think that he was a man between 20 and 30?—Yes.

917. Do not you think he was much more of a boy about 20?—He was above 20, I should say.

918. By the *Committee.*] You mean over 20?—Yes.

919. Mr. *O'Malley.*] Where have you seen him; in the printing office?—In the shop.

920. An apprentice to his father, is he not?—I do not know.

921. That is all you know about him, he is a young man somewhat above 20; did you say he was a young man?—Yes.

922. Then whether he is Mr. Cooper, the printer, or not, you know nothing about it, except you have seen him at the printer's shop?—That is all.

923. Have you seen Mr. Costerton about it?—Yes.

924. Did you tell him he was a young man?—No.

925. You did not tell him he was a young man. Did Mr. Costerton ask you about the contents of the telegrams?—Yes; he asked me about them, but I told him I had been repeatedly cautioned by the clerk in charge of the station not to give any information whatever about telegrams.

926. Did he ask you to get him copies of them?—Yes.

927. Mr. Costerton, the agent for the other side?—Yes.

928. He asked you to get copies for him?—He asked me if I could.

929. What do you do with the papers you get signed?—They are sent up to London with the messages.

930. To what office do you know are they sent?—No, I do not know.

931. Which company is it?—The Electric and International Telegraph Company.

932. I must ask you not to go away till we get those papers. Mr. Reynolds told you that anyone who was there would sign for him?—Yes.

Re-examined by Mr. *Sargood.*

933. How old are you?—15.

934. I suppose you never asked the Mr. Cooper that you are talking of how old he was?—No.

935. Are you a very good hand at guessing ages?—No, not very.

936. Suppose I asked you how old you thought I was, what age would you say?—I do not know.

937. Suppose

937. Suppose I asked you how old you thought Mr. O'Malley was, what would you say?—I do not know.

938. Supposing I pitched upon anybody else in the room and asked you how old you thought he was, what would you say?—I would tell you as nearly as I could.

939. Then I suppose when my learned friend asked you whether Mr. Cooper was between 20 and 30, you took it for granted that that was his right age.

Mr. *O'Malley* stated that he did not ask that question.

940. Mr. *Sargood.*] I suppose you have no idea how old Mr. Cooper is, of your own knowledge?—No.

941. Supposing any one told you that he was 40, you would not, I suppose, contradict it?—I should not say that he looked so.

942. How long have you known this Mr. Cooper as a printer, in the town of Yarmouth?—I do not know.

943. How long do you think; a year, 18 months, or five weeks, or what; have you known him ever since you have been there?—About a year.

944. About a year you have known him as a printer there?—Yes. *W. D. Eastwick* 21 March 1866.

945. Have you seen him in his shop?—Yes.

946. You tell me he is a printer, and you have seen him in his shop?—Yes.

947. Whereabouts is his shop?—Opposite the police-station.

948. Have you often seen him there, as you have been walking about the town?—Yes.

949. This gentleman that you thought was the printer, and think is the printer, do you know whether he has got a wife or not?—No; I do not know.

950. Whether he has got any children, you do not know?—No.

951. That is the only man of the name of Cooper you do know?—Yes, the printer.

952. And whether he has got a father, or whether he has got a son, I daresay you do not know of your own knowledge?—No.

[The Witness withdrew.

Mr. *O'Malley* applied to the Committee to have Mr. Goodwin recalled.

Mr. Henry Goodwin re-called; further Examined by Mr. *O'Malley.*

953. What age is Mr. Cooper, should you think; there is a Mr. Cooper, senior, I judge by there being a Mr. Cooper, junior?—Yes. Mr. *H. Goodwin.*

954. How old would you say Mr. Cooper, senior, was?—I do not know. I should say about 40 is about his age; he is a young-looking man.

955. He is rather a stout man, is he not?—About my own height and figure.

956. But rather redder faced, I believe?—No, he is not a red-faced man, that I am aware of; he may blush sometimes, but he is generally very pale when I have seen him.

957. That was the old man you spoke of, about seeing him with Mr. Reynolds?—Yes; Mr. Cooper, senior.

958. What age is his son?—He has two; the eldest, I should think, is approaching 18, and the other about 15 or 16.

959. And the one that is 18 is a tall and thin young man, is he not?—Yes.

960. With rather a pale face?—Yes.

961. The young man is employed in his father's shop, is he not?—Yes.

962. Apprenticed to his father, or something of that sort?—I believe so; he assists him, at any rate.

Re-examined by Mr. *Sargood.*

963. You do not call yourself a particularly stout man?—I am accused of getting stout; therefore I suppose I must be stout.

964. Nor a particularly red-faced man?—I believe not.

965. And you think Mr. Cooper is very much about your height, and about your size?—Yes, I think so; and if you could produce him here, I think you would say so.

966. By the *Committee.*] If a person were described as tall and thin, and not with much colour, and being between 20 and 30, could that apply to the elder Mr. Cooper?—I should scarcely think it would. Mr. Cooper does not look 40, but I should say he is a man of 40.

[The Witness withdrew.

James Smith was called in; and, having been sworn, was Examined by Mr. *Mellor*, as follows:

967. What are you, and where do you live?—I live in Yarmouth, and I am a tailor. *J. Smith.*

968. Do you remember the last election?—Yes.

969. About a fortnight before the last election, were you canvassed by anybody?—Yes.

970. Who by?—By Mr. Cooper.

971. Had anybody spoken to you upon the subject of the election, before Mr. Cooper canvassed you?—No.

972. Do you know Mr. Cooper?—Yes.

973. Was that Mr. Cooper, the printer?—Yes.

974. Was it Mr. Cooper, the father, or how many Coopers do you know?—I know one Mr. Cooper, the printer.

975. About what age should you say Mr. Cooper the printer is?—About 40, perhaps.

976. When Mr. Cooper came to canvass you, what did he say to you first of all?—Well, he told me if it were anything of an election I should have 15 *l.*

977. Did he tell you what you would have 15 *l.* for?—He said if there was no election I should have 10 *l.*, but if there was a contest I should have 15 *l.*

978. Did he say what you would have the 15 *l.* for?—No, I do not think he did; he did not mention the names of the Members, I do not think; still I thought such was the case.

979. Did he say anything about which side or colour?—No; I will not say that he named, although I thought he meant, Sir Edmund Lacon.

980. What did you say upon that?—I said, "All right, sir."

981. Then did Mr. Cooper go away?—Yes.

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982. Where did you go on the Monday before the election?—I went up to the "Star."

983. Why did you go to the "Star"?—To ask him, because the election was the day after, to know whether the thing would be all right.

984. Did you see Mr. Cooper?—Yes.

985. Will you tell me what he said to you?—I said to him, said I, "Mr. Cooper, I come to speak to you, to know whether this will be all right, what you said."

986. What did he say to that?—He said "Yes."

987. What did you say then?—I said that I supposed that I should be able to have it now; and he said, "No, not now."

988. Did he tell you when you could have it?—No, I do not think he did.

989. When he said that you cannot have it now, did you say anything to that?—I said, "Then I will go a little time and then see, and come back again."

990. Did he say anything then?—He said, "Very well." That is how it was.

991. Did you go?—I did not go no more.

992. Did you go away then?—Yes.

993. Was nothing more said before you went?—No.

994. Did you go back again?—No.

Cross-examined by Mr. *Clark*.

995. You have not told us yet how you did vote at the election; how did you vote at the election?—I voted for Mr. Brogden.

996. For Mr. Brogden only?—Mr. Brogden and Mr. Vanderbyl.

997. From what you tell us, when you saw Mr. Cooper, you told him you should like to have it then?—Yes.

998. But it seems you did not have anything then?—No.

999. Did you have anything before you voted?—Mr. Cooper told me——

1000. Attend to my questions. Did you have anything before you voted?—Yes.

1001. From whom?—Well, sir, I cannot tell you the man's name.

1002. Was it from somebody on the Blue side?—Yes, I supposed it was.

1003. And where did you have it?—At Mr. Wright's, the shoemaker's.

1004. Tell me, if you please, when did you come up to London?—Yesterday.

1005. Do you know a person of the name of Jabez Eastwick down at Yarmouth?—I know a Mr. Eastwick, but Jabez, I do not know whether that be the name; he is a draper.

1006. Where does he live?—In the market-place.

1007. The father of the telegraph boy?—I suppose so.

1008. You saw the boy here?—Yes.

1009. Had you a conversation with him the other day?—Yes.

1010. Just recollect. Did not you tell Mr. Eastwick that you should like to come up to London?—I do not know that particularly. I might say it in that way a bit.

1011. But you had a talk, had you not, with Mr. Eastwick, about coming up to London here, about the election?—In a jokish way of speaking I might say that.

1012. Might say what?—I might say that I should have no objection in coming up to London.

1013. How long ago was that?—I should say it might be a week perhaps.

1014. Did not you tell Mr. Eastwick, you did not care on which side you came?—Well, sir, I cannot positively tell you that.

1015. Did not you tell Mr. Eastwick on that occasion this. When you said, "I should like to go up to London," did not you add, "I do not care on which side I go"?—I must leave that.

1016. Will you swear that you did not tell Mr. Eastwick, the draper, you did not care upon which side you came?—Well, sir, I might; possibly I did say that.

Re-examined by Mr. *Sargood*.

1017. I suppose you tell us one side made the offer, and the other made the payment; you did not care who brought you up here to tell about that; that would not make any difference to you.

Mr. *O'Malley* objected to the question.

1018. Mr. *Sargood*.] Just tell me this; when you saw Mr. Eastwick did he say anything to you about coming up?—He named something about his coming up.

1019. I want to know who began the conversation about it?—I think Mr. Eastwick was a sort of speaking, and I was a sort of speaking, and he was just the same as me in the matter.

1020. Both talking at the same time?—Both upon that point.

1021. Was Mr. Eastwick coming up, do you know?—Yes, I think he said he was.

1022. As you were talking about the same thing, did he happen to tell you upon which side he was coming?—I think he said he had one of those papers, the subpœna papers.

1023. Did he tell you which side?—The Blue side I think he said.

1024. You think he was coming up on the Blue side; however you have not seen him I suppose since you came up?—No.

1025. By the *Committee*.] You have mentioned that you went to somebody on the Blue side; what did you get from the Blue side?—£. 20.

1026. Who paid you the 20*l*.?—I do not know who it was.

1027. Was it a Yarmouth man?—I do not think it was; it was a stranger.

1028. Had you ever seen the man before?—No.

1029. You swear you do not know him or know his name?—I can solemnly swear that.

1030. Have you been paid anything for coming up here, to give evidence here?—Yes.

1031. How much?—I was paid 2*l*. here and back.

[The Witness withdrew.

Mr. William Isaac Sillis was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

Mr. *W. I. Sillis.*

1032. Are you a corn and flour factor?—Yes.

1033. Carrying on business at Great Yarmouth?—Yes.

1034. Are you one of the voters there?—Yes.

1035. You remember the last election, probably, in the middle of last year?—Yes.

1036. Did

1036. Did you vote at that election?—Yes.

1037. Which side did you vote?—The Blue side; the Liberal side.

1038. Do you know Mr. Cooper, the printer?—Yes.

1039. How long have you known him; you are a Yarmouth man?—I have known him several years.

1040. Did you see Mr. Cooper shortly before the election?—Yes.

1041. Did he say anything to you about your voting?—Yes.

1042. What did he say?—He told me he had got my name down; and I said, "Well, do not you put it down; I have nothing to do with your lot for your party."

1043. What party did he say he was for?—He said he was for the Reds.

1044. You have known him a good many years, was he ever Red before?—I suppose so.

1045. They say he is red in the face, but did you know him on the red side before?—I always thought him to be on that side. I do not know, not exactly.

1046. When you told him you should vote on the Blue side, what did he say?—He said, "Oh, do not be silly."

1047. Did he say anything more to indicate why it would be silly?—He told me that if I went down to his office there was some money.

1048. Did that induce you to ask him how much?—No.

1049. Did he not tell you how much?—Yes.

1050. How much?—He told me there was eight if I were to go for it.

1051. You do not recollect that he said "8 *l.*," but he only said there was money?—He said, "There is eight if you would like to go down the road; I have got your name down;" I said, "Do not you put my name down at all."

1052. Did you go down to his office?—No.

1053. The eight did not tempt you, whatever that might mean?—No, I did not mean to go that way at all, from the first.

1054. Did you see Mr. Cooper a day or two before the election after this, in the street?—Yes, I see him.

1055. Did he introduce the subject again?—He said, "Are you going our side," and I said "No."

1056. What else did he say?—He said I was silly, I suppose, or something of that sort; I do not know exactly.

1057. Did you visit any of the public places that were open on that side; where there were any speeches going on?—Yes.

1058. I suppose there were bills upon the houses, to show you which was which?—No, I do not recollect whether there was.

1059. How did you know one from the other?—I know where the "Star" is, and I know where the "Angel" is.

1060. Who had got the "Star"?—The Tory party.

1061. How do you know that?—I had a circular to go there.

1062. In consequence of the circular, did you visit the "Star"?—Yes, I went once.

1063. Whom did you see there?—I saw a great many.

1064. Did you see either of the gentlemen who were elected ultimately, Sir Edmund Lacon or Mr. Goodson?—Yes.

1065. Did you see them both there?—Yes.

1066. What was going on, any speechifying?—Yes, there was speechifying.

1067. Anybody taking the chair; presiding for the evening?—I think Mr. Preston was in the chair.

1068. I suppose he favoured you with a speech?—Yes, he talked.

1069. Did you see your friend Mr. Cooper there?—Yes.

1070. I do not know whether he indulges in speeches as well as printing?—I did not hear him.

1071. Do you know a gentleman of the name of Eagleton?—Yes.

1072. What is he?—I do not know what he is, I am sure.

1073. One of your townsmen?—Yes, he lives in Yarmouth.

1074. Was he at the "Star"?—I do not know nothing about him. I did not see him; I cannot say that I did.

1075. Was there anything going on at the "Star" besides speechifying?—Yes; there was smoking of pipes and drinking of grog.

1076. Did you assist at that?—Yes, I lent a hand.

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Cross-examined by Mr. *O'Malley.*

1077. It seems that you treated this matter of eight as a joke apparently?—I did not want to go that way at all from the first.

1078. And Mr. Cooper knew that very well?—That I do not know.

1079. Is that so; you let Mr. Cooper know at once that you did not mean to vote that way?—Yes, I told him so.

1080. He did not show you any money?—No.

1081. You did not see any money with him?—No, I did not see any money with him.

1082. What side did you go?—The Liberal side.

1083. Might I ask you, as a matter of curiosity, what you got; just tell us, as a matter of curiosity, how much; do not be ashamed of it. How much?—

The Witness winked at the learned counsel.

1084. What was it; 20 *l.*?—

The Witness made no answer.

1085. Come, answer the question; I shall be obliged to ask you where you have been to-day if you do not. Just tell me, how much did you get?—You ask me how much I got. Am I bound to tell you that?

Chairman.] Yes.

1086. Mr. *O'Malley.*] Twenty pounds or thirty pounds?—Oh, no, no.

1087. How much?—Come, out with it?—

The Witness hesitated.

1088. Come, have it out; it will come at last. You will get back to the grog sooner if you just tell us?—I do not want the grog.

1089. Come, answer the question, how much it was. You see that gentleman there; you will bring him down upon you if you do not?—You said 20 *l.*

1090. How much did you get; do you say 20 *l.*?—You said 20 *l.*

1091. Then what do you say?—

1092. *Chairman.*] You are here on your oath, and you must answer the question put to you by the learned counsel. If you refuse to answer, you subject yourself to very serious consequences?—I am bound to speak the truth.

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1093. He asked you whether you received anything for voting?—I did.

1094. Mr. *O'Malley.*] What did you get?—Fifteen pounds.

1095. Who did you get it from?—Ah! I do not know who gave it me.

1096. Did you take a ticket to the man?—Yes.

1097. You got a ticket?—Yes.

1098. You did not know the man who gav it you?—No; that is the truth.

[The Witness withdrew

WILLIAM HULLEY was called in; and, having been sworn, was Examined by Mr. *Mellor*, a follows:

W. Hulley.

1099. WHAT are you, and where do you live?—I am an organist and musician; I live at Great Yarmouth.

1100. Do you remember the last election?—Yes.

1101. For whom did you vote?—For Sir Edmund and Mr. Goodson.

1102. Do you know Mr. Charles Ablitt?—Yes; quite well.

1103. When did you last see him?—I cannot exactly say; a week ago, perhaps; I do not know exactly.

1104. Do you mean that you have not seen him since a week ago?—No; I do not think I have.

1105. Did you see Mr. Charles Ablitt shortly before the last election?—Yes, about two months before.

1106. Did not you see him a shorter time than that before, do you think; did you see him within a week before the election?—No; it was about two months before that I saw him.

1107. You mean to say that you did not see him for two months before the election?—No, I did not.

1108. Did Ablitt, when you saw him the last time before the election, say anything to you about the election?—No.

1109. Nothing at all?—No.

1110. Has he said anything to you about the election since?—No.

1111. Nothing at all?—No.

1112. When you saw him about a week ago, he said nothing to you about the election?—No.

1113. Did Charles Ablitt ever give you anything?—What do you mean?

1114. Money?—Yes, lots.

1115. Do you remember the last occasion on which he gave you any money?—Yes; it was about two months previous to the election.

1116. How much money did he give you two months previous to the election?—Ten pounds; and he owes me now 5 *l.*

1117. What did he give you the 10 *l.* for?—For professional engagements; for supplying bands for the gardens.

1118. What gardens were they?—The Victoria Gardens.

1119. Where are the Victoria Gardens?—At Great Yarmouth.

1120. What bands did you supply to the gardens?—Stringed bands.

1121. When?—At the races.

1122. How long was it before the election that you supplied the bands?—It was about eight or twelve months. I cannot say exactly.

1123. Then what does Mr. Ablitt owe you the 5 *l.* for now?—My bill was 15 *l.* and he paid me 10 *l.*

1124. Then he has owed you 5 *l.* for 12 months?—No, I did not say so.

1125. I thought you said the bands you provided 12 months before the election?—Yes; you must not flurry me. The doctor said I was not to be flurried when I came here.

1126. The last occasion on which you met Ablitt, did you ask him to pay you that 5 *l.* that he has owed you so long?—Certainly I did.

1127. What did he say?—He said he would pay me at his earliest convenience.

1128. I suppose that convenience has not yet come?—No; I should like to see it.

1129. Has Mr. Ablitt paid you any other money?—Yes, lots.

1130. When?—Why, for different engagements.

1131. Since this?—No, before; lots of bass and stringed bands that I have had to supply; his Mr. Ablitt, you know, is the proprietor of the gardens; and I had to supply the bands for him.

1132. When did you come to London?—Monday.

1133. Whom did you come with?—Oh, lots of people.

1134. I suppose the train was full?—Yes.

1135. Did anybody come in the same carriage with you?—Yes, lots.

1136. That you were acquainted with there?—I am acquainted with a great many.

1137. Were you acquainted with everybody in the train?—I cannot say that; that is a nice question.

1138. Were you acquainted with anybody in the carriage that had come up with you?—Yes; I knew the engineer.

1139. He did not come up in the carriage with you, did he?—No.

1140. I asked you whether you were acquainted with anybody who came up in the same carriage with you?—Yes; Mr. ——; I do not know what is the gentleman's name, that lives on the Drive I do not know, I am sure; I am connected with so many that I hardly know who I did see.

1141. Your acquaintance is so large that you cannot tell whether you knew anybody that came up with you in the same carriage?—Yes, I know everybody.

1142. Who were the people; what were their names?—I know them to see, but I do not know their names, I am sure.

1143. Cannot you remember any of the names of the people who came up in the same carriage with you?—No, that I cannot.

1144. Have you a short memory?—No I have got a long memory.

1145. When you came to London, where did you go?—I went to lots of places; I went to the "Nag's Head."

1146. That was the first place, I suppose?—No; I think it was the second place.

1147. Where did you go first?—I went—I do not know where I went to I am sure; I think I went to the Adelphi Theatre.

1148. Did anybody meet you at the station?—No.

1149. Do you know Mr. Ellis?—What Ellis?

1150. The

150. The tailor, at Yarmouth?—Oh yes, quite we.

151. Were you with him on Monday at all?—Yell, I did see him.

152. Was he in the same carriage with you when you came up by the train?—No.

153. Did you see him before you started to com up to London?—I did see him on the staton.

1154. Did you see him when you got to London?—Yes, I did just see him. *W. Hulley.* 21 March 1866.

1155. Did he come up to London in the same train with you?—I think he did.

1156. In the same carriage?—No; not in the same carriage.

The *Chairman* suggested to Mr. Mellor that it was rather a strong mode of examining the witness in chief.

WILLIAM SMITH was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

157. WHAT are you?—I am a cordwainer.

158. Are you a voter at the Yarmouth election?—Yes. *W. Smith.*

159. Which way did you vote at the last elecion?—Goodson and Lacon.

160. Were you canvassed for your vote before you gave it?—I was.

161. By whom?—Three Members out of the four

162. By the Members personally, you mean?—Yes.

163. And by anybody else?—I do not remember any one.

164. You are an old inhabitant, are you not?—I am.

165. By the *Committee.*] You were described by Mr. Cripps as a beer-house keeper?—I am so as well.

166. Mr. *Sargood.*] Whom did you see with reference to the election; did you see Mr. Wilshack?—I see him almost every week; I remember before the election I did.

167. Did you see him before the election; I do not want to know how often you see him?—Oh, yes.

168. Did he talk to you about the election?—Yes, we had a conversation respecting the electon.

169. Did he ask you to give your vote in any particular way?—Oh dear, no.

170. Did he ask you which way you were going to vote?—He did.

171. Did he tell you which way he was going to vote?—No.

172. Did you ask him?—No.

173. Did he give you anything before you did vte?—Give me anything?

174. Yes, give you anything?—Do you mean in reard of money?

175. I have no objection whether it is money or anything else; I said "anything"?—I perfectly understand you.

176. Suppose you begin with money then, as you seem to have that uppermost in your mind?—Yes.

177. How much was it?—£. 15 I think it was.

178. And how many days was it before the electon, or was it on the same day?—I cannot tell you.

179. You do not remember?—No.

180. It was not on the same day then?—No, I can remember that.

181. Do you remember going up and voting?—Quite well.

182. Did anybody go up with you?—No.

183. What time of the day did you go up?—If I was to recollect a few minutes, it is as near as I can tell about 11 o'clock.

184. Just tell me how many days before you thinkt was; as near as you can think?—I did not come here to think; I come here to tell you I do not know.

1185. But I want you to think?—I cannot think it, because I cannot think it; I do not know.

1186. We will assume you do not know at this moment; but I want you to brush up your memory?—I do not know.

1187. I assume you do not know; you may have forgotten, you know, but sometimes when we try very hard we manage to remember?—I cannot remember that, if I were to refresh my memory ever so much.

1188. Why cannot you; have you tried hard?—I have a bad recollection respecting things past.

1189. But you remember you got the 15 *l.*?—Yes.

1190. And you remember that you voted?—Yes.

1191. Do you remember which side you voted?—Yes.

1192. And you remember the man who gave you the money?—Yes.

1193. The only thing you forget is how long it was before the election?—I am on my oath, and I cannot tell you the day.

1194. I do not want to know the day; I want to know whether it was within 24 hours, or within a year, or within six months, or anything you like?—It was not within 24 hours, if that is near enough.

1195. That is near enough when it was not; now tell me when it was. Was it within a week?—I do not know.

1196. Will you think?—I will not think.

1197. Do you believe?—That is a curious thing—Believe?

1198. By the *Committee.*] You can probably speak as to about the time?—I cannot speak to the time, not to the day of the week, nor yet to the day of the month; I cannot now remember it.

1199. Do you think it was a week, or 10 days, or a fortnight, or a month?—When it comes to thinking, I might say I might think it was a fortnight, or I might think it was a month, or I might think it was two; but I am come here to say as near as I can, and I do not know the time. I think that is fair and straight.

1200. Mr. *Sargood.*] Now let us see; I will try and help your memory by easing it upon some other points. Whereabouts was it that Wilshack gave you the money?—At my own house.

1201. By-the-by, I no not think you told me where Wilshack's house is; do you know that?—Yes, I do know where it is.

1202. Whereabouts is it?—Close by what they call the Chapel Danes.

1203. Is that a public-house?—Yes.

1204. Can you tell me what sort of money it was he gave you?—No.

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1205. Do not you remember that?—No.

1206. Whether it was Bank notes or gold?—Gold.

1207. All gold, I suppose?—Yes.

1208. Had you been asked to vote on the other side before you had the 15 *l.* of Wilshack?—I had been canvassed.

1209. Do you remember by whom?—By Mr. Brogden. I do not remember seeing Vanderbyl; I think that is his name; I do not remember his calling upon me.

1210. I do not mean either of those two gentlemen; had your vote been solicited on their side by any of your friends in the town?—Only in the regular canvassing way, the same as gentlemen do.

1211. Had you intimated to Mr. Brogden or to Mr. Vanderbyl, or any of their friends, which way you thought of voting?—I think not.

1212. But do you believe not?—I believe not, then, if that will do.

1213. Which side had you voted on previously; is your memory good enough for that?—Yes.

1214. Which way was it?—The eleetion previous to this I voted for, I think, Mr. Macculock and Watkins.

1215. That was on the Liberal side?—I do not know nothing about the Liberal side; that is right what I tell you.

1216. Do you remember on any election before that which way you went?—The election before Watkins and Macculloch, are you speaking of? who were Members then?

1217. Upon my word I forget?—And so do I.

1218. There were Sir Charles Napier and Mr. Macculloch then, I think?—I voted for them.

1219. Still that side?—Yes.

1220. Had you a vote earlier than that?—Oh, yes, further back than that.

1221. Which way did you vote before that, do you remember?—Who were the Members then?

1222. I am not quite sure about that?—No more ain't I; if you will name the Members I shall know.

1223. However, so far as you do remember, you voted on the Liberal side?—No.

1224. You told me so?—No, I did not; I beg your pardon; that is a mistake either of yours or mine.

1225. However, this time you voted the other way?—This time I voted for Goodson and Lacon.

1226. Mr. Wilshack's friends?—I do not know nothing about Wilshack's friends.

1227. His party?—I know nothing about his party.

1228. His side; will you have it that way?—No, it were not for his side neither.

1229. You do not like his friends, or his party, or his side?—No.

1230. What did you have the 15 *l.* for?—That is a thing that I cannot tell you.

1231. You cannot tell me?—No.

1232. *Chairman.*] You must answer that question?—He brought it to my house, and he gave it to me, and I put it into my pocket.

1233. Mr. *Sargood.*] I dare say you took it out again and spent it; but that is not telling me why he gave it you, you know?—He ought to be here to tell why he gave it me.

1234. Perhaps he is, for anything I know; we have invited him; but I want you to tell me?—I do not know.

1235. By the *Committee.*] Do you swear, on your solemn oath, you do not know what he gave you the 15 *l.* for?—He brought it to me sometime previous to the election; I assure you there was no conversation passed between him and me what he should give it to me for.

1236. Mr. *Sargood.*] Do I understand you that he put the 15 *l.* into your hands, or into your pocket, which?—Into my hand.

1237. It was in your own house; did not he speak?—Yes.

1238. What did he say?—I could not remember the words; but words to this effect, "Here, I have brought you this."

1239. Was that all?—Well, I do not remember what passed; I am sure I could not remember; not the words; I could not swear.

1240. He said, "I have brought you this"?—Yes.

1241. Did you know what that meant?—Well, I anticipated that—

1242. I suppose you had seen him before?—Yes, I see him almost every week, as I am passing.

1243. Did you anticipate the 15 *l.* from anything he had said to you when he saw you before?—No.

1244. What made you anticipate it?—What it was for?

1245. What made you anticipate it if he did not tell you at the time, and had not told you before; what made you anticipate what it was for?—As the election was pending at that time.

1246. As the election was pending, you thought you knew what it meant?—Yes; but he did not tell me, says he, the 15 *l.* was to vote for Goodson, or Lacon, or any one else.

1247. I do not want to know what he did not tell you; but I am asking you what he did tell you?—I do not remember the words; I do not suppose the man was in my house more than five minutes.

1248. You do not remember all the conversation you had with him?—No.

1249. You do not remember all that passed when he gave you the 15 *l.*; is that what you mean?—No, there was very little conversation.

1250. Very little would do, you know; you do not remember all that passed when you saw him before he gave you the 15 *l.*?—Because I tell you I see him so many different times.

1251. We will assume that you do not remember all that was said; but the effect upon your mind was to lead you to understand what was meant; you anticipated what was meant by the 15 *l.*?—I anticipated that he had brought me the 15 *l.*, of course.

1252. You did not anticipate that he had brought it when you had got it in your hand; it was all right then?—Yes; be it so.

1253. And you thought you knew what was meant; is not that what you said; you said you anticipated what was meant?—Yes.

1254. Having got your 15 *l.*, and anticipated what he meant by giving it to you, what did you do afterwards?—Remained at home at my employment.

1255. That was not what you anticipated he gave you the 15 *l.* for, to remain at home at your employment?—No; you asked me what I did afterwards.

1256. That was not what you anticipated he meant you to do, was it?—I went about my employment.

1257. Afterwards, what else did you do in consequence

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consequence of your anticipation of what he meant?—Do you mean the following day or the following hour?

1258. Either way you like; but I want you to confine your mind to this: I want to know what you did in consequence of your anticipation of what he meant when he gave you the 15*l.*; tell me what you did afterwards in consequence of it?—I told you I went about my employment.

1259. You do not mean to say that that was your anticipation of what he meant, do you; you do not think that was what Wilshack meant, that you should go on with your work?—I should hope that he did not mean for me to neglect it.

1260. But do you think he gave you 15*l.* in order that you should go on with your work?—Nothing to do with it at all; I should say not.

1261. Did Wilshack call on you after he gave you the 15*l.*?—Oh, yes, many a time.

1262. How far was the polling-booth from your house?—Well, not a mile, nor yet half; I cannot measure the distance; I should think it was about a quarter of a mile.

1263. Did anybody walk with you to the place when you went to give your vote?—No; I went by myself.

1264. Did anybody call to remind you of your duty to go?—I did not want any one to do that.

1265. One might do it without your wanting?—No, nobody called respecting me, asking me if I was going down to vote; you mean asking me whether I was going to vote on that morning or no?

1266. Did not Wilshack call?—No.

1267. In a cab?—I did not want a cab from my house to the polling-booth.

1268. Wilshack called in a cab, do you remember that?—At my house?

1269. Yes, at your house?—And took me from my house to the booth that morning?

1270. I have not got so far as that, I have only got the cab up to your door yet; do you remember that?—I remember Wilshack coming to my door with a cab; but I have seen him there with a cab many times.

1271. Do you remember what time in the day Wilshack came to your house in a cab?—Not before I had voted.

1272. Did he come after you had voted?—Yes.

1273. Did he come in a cab then?—He called in one of those basket things.

1274. One of those flies?—Yes.

1275. Having called, I dare say you said it was all right; you had been up and given your vote?—I do not think there was anything of a conversation passed.

1276. Perhaps you told him, and therefore you did not want the basket-carriage, or whatever it was, to take you there?—No.

1277. You told him, I suppose, you had voted, and it was all right?—I do not remember that; I do not remember anything that passed.

1278. Do you remember what he called for?—A glass of ale.

1279. Called to get one out of you, or to bring you one?—Called at my house to buy one, if you like it.

1280. Did not you tell him you had gone up and voted?—Very likely I did.

1281. Do not you believe you did?—Oh, yes; I think it is very likely in the conversation.

1282. Before Wilshack brought the money to your house, had you been to Wilshack's house?—Oh, yes, many times.

1283. About the election business?—No, I never called there about that; I do not know about the election business.

1284. What do you mean by saying you do not know about the election business?—I did not call there for the express purpose.

1285. But did you call there and talk about the election to Wilshack before the day on which he brought you the 15*l.*?—No doubt but what I did.

1286. I dare say your memory is not good enough to remember what took place, is it?—No, that is the general topic of the day, when things of this sort are moving.

1287. Had anybody directed you to go to Wilshack?—I did not want any direction, being a native of the town.

1288. I know you did not want any one to show you the way, but had any one told you to go to Wilshack about the business?—No.

1289. You are quite sure that no one suggested that you would hear at Wilshack's how things were going on; try and brush up your memory?—No, I do not remember.

1290. You seem to be very much amused at it, but you are wasting our time dreadfully?—I beg pardon if I am not quick enough answering questions.

1291. I want to know, did you go to Wilshack's before the day when he brought you the 15*l.* in consequence of anyone telling you that you would find out what was going on there?—No.

1292. Nothing of the sort?—No.

1293. There is another gentleman I have forgotten to mention to you; among your townspeople, do you know a gentleman named Edmund Clarke?—Yes.

1294. Do you know which way he voted?—I have been told that he voted ——

1295. Never mind what you were told?—I do not know.

1296. You did not go up to the poll with him?—No.

1297. You have seen Clarke yourself; did you hear anything from Clarke about which way he voted?—No.

1298. You know Mr. Edmund Clarke, you say?—What is he?

1299. I was just going to ask you that; what is he?—I know one, a cabinet-maker, and I know one, a baker.

1300. I will have the baker; you know Mr. Edmund Clarke, the baker?—Yes, quite well.

1301. I have a particular recollection of a baker and a grocer going together, that is not an unusual thing in the country; is he a baker as well as a grocer, or a grocer as well as a baker; does he sell bread as well as tea?—Yes.

1302. Did you get a little commission out of any money transaction with Mr. Edmund Clarke?—Out of a transaction with Clarke?

1303. I put it to you; did you get half a sovereign?—Yes.

1304. Whom did you get it from?—Wilshack paid it over to me.

1305. Was Clarke present at the time?—No.

1306. Had you seen Clarke before Wilshack paid you the 10*s.*?—I think I had.

1307. You think you had, so do I?—I see him frequently.

1308. Had you told Clarke where to go?—I do not remember.

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1309. Try. You know you would not pick up 10*s.* at Wilshack's for nothing; had you told Clarke where to go?—I would not state positively to that; I do not speak positively to telling of Clarke where to go.

1310. But do you believe you told Clarke where to go?—Am I to answer that?

1311. *Chairman.*] Yes, to the best of your ability?—I believe I did.

1312. Do not you believe you told him to go to Wilshack's?—I think I just answered that.

1313. Answer it again, I did not catch it; I dare say you did; you did tell him to go there?—I believe I did.

1314. Did you tell him what to go for?—No.

1315. Did not you; did you simply say to him, "Go down to Wilshack," was that all?—I could not recollect every word that passed between a man and me five, or six, or eight months ago.

1316. Why did you tell him to go to Wilshack?—I had no why in it.

1317. You mean that you had no reason for telling him to go; but you did tell him?—Yes.

1318. After you had told him to go Wilshack, without any reason, did you do down to Wilshack and get your 10*s.*?—I called there some little while after, and Wilshack says, "Mr. Clarke has left 10*s.* there for you."

1319. Did Wilshack tell you how much Mr. Clarke carried away with him?—No.

1320. He did not tell you that?—No.

1321. Did Wilshack explain what the 10*s.* was for?—I do not remember any thing passing.

1322. You do not remember Wilshack telling you?—No.

1323. Had you made a bargain with Clarke that you were to have 10*s.* left as your commission?—I do not remember that.

1324. Did not Wilshack explain to you why Clarke had left the 10*s.* back?—No.

1325. He did not tell you?—No; he simply said, what I told you, that he had left 10*s.*

1326. Were you very much surprised?—It was a very agreeable surprise.

1327. But were you surprised?—No.

1328. You expected it, I suppose, did you not?—No.

1329. You did not expect it?—No.

1330. Is your memory quite clear upon that?—Oh, yes.

1331. I do not desire to doubt anything you say, only you tell me your memory is bad, and I only want to know whether you are quite sure of your memory here; did you expect the 10*s.* when you called?—No.

1332. And had not the slightest idea that Clarke would leave 10*s.* for you?—The slightest idea that Clarke would leave 10*s.* for me? No, I do not think I had any idea that he would do such a thing.

1333. Although you forget why you sent Clarke down to this man, Wilshack, did you send anybody else besides Clarke?—

Mr. *Clerk* objected to the question.

The *Chairman* overruled the objection.

1334. Mr. *Sargood.*] Just tell me this, did you send anybody else down to Wilshack?—I do not remember.

1335. Try and recollect; did you send anybody else down to Wilshack?—I do not remember doing so.

1336. Is your memory good enough to swear that you did not send anybody else but this man, Edmund Clarke?—No.

1337. You may have sent other people, and forgotten it?—No, I think not.

1338. Is your memory quite certain that you did not send anybody else; is that what you mean?—

The *Chairman* stated that Mr. *Sargood* could not put the witness into the box, and get up his own case during the examination before the Committee.

1339. Mr. *Sargood.*] I will give you one name, which I may mention to you, that is Mr. James Smith. Hitherto we have talked of another person; do you know James Smith, the painter?—I know two James Smiths, painters.

1340. I only want one of them?—Which one is that?

1341. James Smith, of Northumberland-place; is that one of the painters that you know?—Yes.

1342. Now we have got James Smith of Northumberland-place; did you ever send him to Wilshack?—I do not remember of sending him down.

1343. Did it happen that you went him to Wilshack's?—When do you mean?

1344. Shortly before the election?—I will call my memory in a few minutes; I frequently called in at Wilshack's; some time in passing I might have met Mr. Smith, and we went in and had some glasses of ale, perhaps.

1345. Did you go down to Wilshack's with him?—From my house?

1346. From anywhere in the world; did you and he go together to Wilshack's?—Oh, yes.

1347. Was there any little money transaction on that occasion?—I do not know.

1348. Did you and Smith remain together in the same room at Wilshack's, or were you left alone for a little while?—I do not remember being left alone; if we had passed in for a glass of ale, we came out together.

1349. Did you see Wilshack?—Oh, yes.

1350. Amongst other things, did you talk of the election?—I cannot remember what the conversation was.

1351. Your memory breaks down, does it; was Smith with you all the time, or did he and Wilshack leave the room at all?—You are speaking of when we went in and came out again.

1352. And you went in again, perhaps, or did Smith go in, leaving you outside; how was it?—Oh, no.

1353. Do just tell us?—No.

1354. How long before the election was this?—Oh, sir, I could not say; perhaps it might be a month, or it might be a further week; but if I should meet with Smith, or with any one else of my friends, if Wilshack's was near, I would ask them to take a glass with me.

1355. Did anything else take place beyond taking the glass?—Not in my presence.

1356. No conversation?—No.

1357. Are you sure that Smith was with you all the time when you went to Wilshack's; did not he and Wilshack go out of the room together?—There is a bar which separated the department where we went in; and Wilshack was always behind the counter, serving his customers, and the customers were in the front. I never went into a room with Smith; I went into the bar and had a glass of ale.

1358. Did not Smith and Wilshack go into the room?—I do not remember that.

1359. Do you mean that you do not remember whether

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whether they did, or whether they did not?—No; I do not say whether Smith went away from me, from the bar, when we went in, or not. I could not say whether he remained with me, or whether he went away backward.

1360. You do not remember whether he went away backward with Wilshack, or not?—No.

1361. Did you both go away together?—Yes; if I went in along with him, in course we went both away again.

1362. Do you remember that?—I do not suppose I went there and left the man there.

1363. Do you remember that you went in together and came out together?—There is no doubt of that.

1364. Have you any doubt that while you stood before the bar, Wilshack and Smith went into the other room?—Possibly it might be so.

1365. Do not you believe it was?—I could not say.

1366. Yes, you can tell me whether you believe it or not, you know?—That amounts, in my opinion, to no evidence.

1367. I am not asking you whether it is evidence, but do you believe they went into the back room together?—They might do such a thing.

1368. I know they might; do not you believe they did?—

Mr. *O'Malley* objected to the question.

The *Chairman* overruled the objection.

1369. Mr. *Sargood.*] To the best of your recollection and belief, I may take the liberty of saying, did not Smith and Wilshack go into the back room together while you waited before the bar?—I do not know.

1370. How do you mean by you do not know?—Whether they did or did not.

1371. You have no memory on the subject?—No.

1372. You cannot say they did, and you cannot say they did not?—I cannot say whether they did or did not.

1373. You would not swear that Mr. Smith remained with you the whole time before the bar, would you?—No.

1374. You would not swear that Wilshack remained with you the whole time behind the bar?—No.

[The Witness withdrew.

JAMES SMITH was called in; and, having been sworn, was Examined by Mr. *Mellor*, as follows:

J. Smith.

1375. WHAT are you?—A Plumber.

1376. Where do you live?—Northumberland-place.

1377. Do you remember the last election at Great Yarmouth?—Yes.

1378. Whom did you vote for at that election?—Lacon and Goodson.

1379. Do you know William Smith, of Northumberland-place?—Yes.

1380. Did you meet him shortly before the last election?—Yes.

1381. When you met him, did he say anything to you?—He asked me how I got on; and I told him I did not get on very well; and he said, "Come along with me, and it will be all right."

1382. Did he ask you who you were going to vote for?—Yes; and I told him.

1383. What did he say upon that?—It would be all right if I went along with him.

1384. Did you go along with him?—Yes.

1385. Did you ask him, before you went with him, where he was going to?—No; I do not remember that I did. He said, we will go and get a glass of ale.

1386. You went with him?—Yes.

1387. Where did you go to?—To Mr. Wilshack's.

1388. What did you do when you got to Wilshack's?—He invited me into a room; into a back room.

1389. Wilshack invited you into a back room?—Yes.

1390. Did you go into the back room with Wilshack?—Yes.

1391. Where did you leave Smith?—I left him in the shop.

1392. What did Wilshack say to you when you got into the back room?—He asked me whether I had a mind to vote for him, and I told him yes.

1393. For whom did he ask you to vote?—He asked me to vote for Goodson and Lacon, or Lacon and Goodson, which you like.

1394. What did you say?—I told him yes.

1395. What did he say then?—He said, "Do you want anything?" and I told him, yes.

1396. Did he give you anything?—Yes; he gave me 15 *l.*

1397. What did he give you the 15 *l.* for?—To vote for Lacon and Goodson.

1398. Did he tell you when to give your vote?—No; he did not say when.

1399. Do you know where Smith was all this time you were in the private room?—I cannot say; he might have been in the shop, or at the door; I cannot say.

1400. When you came out of the private room, did you find William Smith still in the bar?—No, he was not at the bar then; he was out of doors.

1401. When you went out of doors, did you see him?—Yes.

1402. Was he waiting for you?—Yes; I saw him again at the door, and I came away with him.

1403. Did you see William Smith again on the morning of the election?—Yes.

1404. Where was that?—At his own house.

1405. Did anybody come into the house while you were there?—There were several people there, but who they were I cannot say.

1406. Did Wilshack come into the house while you were there?—Yes.

1407. Did he say anything to you?—No; he asked us whether we had a mind to go up and vote, and we told him yes, we would go.

1408. What did you tell him?—I told him if he liked to stand a drop of allowance, we would go up and vote for him.

1409. What allowance?—What we commonly call beer.

1410. Did he stand you any beer?—Yes.

1411. Did he stand you anything else?—He told us if we would call at his house at any other future time, he would give us 3 *l.* each.

1412. You say that Wilshack told you this?—Yes.

1413. Did you go up and vote?—Not then, we did not; we never went near it.

1414. When did you go up and vote?—Between

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tween eight and nine o'clock; I cannot say exactly the time.

1415. Did you ever get this 3*l.*?—Yes, I did get it.

1416. When did you get the 3*l.*?—I cannot tell exactly, about a month, I suppose, after; something like about a month.

1417. Who gave you the 3*l.*?—Mr. Wilshack.

1418. I ask you one question about what took place when you came out and found William Smith waiting for you; did you give him (William Smith) anything?—No.

1419. Did he ask you to give him anything?—No.

1420. You went away with him?—I went away.

[The Witness withdrew.

EDMUND CLARKE was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

E. Clarke.

1421. ARE you Edmund Clarke, a Grocer and Baker, of Gaol-street, Great Yarmouth?—Yes.

1422. Do you remember the last election at Great Yarmouth?—I do.

1423. Were you visited by any of the candidates?—I casually met with Sir Edmund Lacon and Mr. Goodson opposite my house.

[The Witness withdrew.

Mr. *Sargood* asked to be allowed to recall the witness, James Smith, and to ask him a question with reference to a communication made to him by Mr. Wilshack, which had only recently come to the knowledge of the Petitioners.

JAMES SMITH, recalled; Examined by Mr. *Sargood*, through the Committee.

J. Smith.

1424. SINCE you have had an intimation that you would be required in London, I want to ask you whether Mr. Wilshack has made any communication to you as to what you should say?

[The Witness withdrew.

Mr. *O'Malley* objected to the question, on the ground, that a statement or admission by an assumed agent, made after the transaction, could not be received as evidence against his principal.

Mr. *Sargood* was heard in support of his right to put the question.

Chairman.] We think that this is a question with reference to what passed at the time when the agency is assumed. If it is a question with reference to that period, we think the question may be put.

JAMES SMITH, recalled.

J. Smith.

1425. Mr. *Sargood* (*through the Committee*).] SINCE you have had an intimation that you would be required in London, I want to ask you whether Mr. Wilshack has made any communication to you as to what you should say?—No.

1426. Has he said anything to you at all upon the subject of your having to give evidence upon oath?—I have not seen him, or yet heard anything about him at all.

[The Witness withdrew.

EDMUND CLARKE, recalled; further Examined by Mr. *Sargood*.

E. Clarke.

1427. I THINK you have told us that you were visited by Sir Edmund Lacon and Mr. Goodson just before the election?—I say, that I met with them opposite my house.

1428. Were they alone?—No.

1429. Who were with them?—I cannot say.

1430. Several persons whom you were not acquainted with?—The faces were familiar to me, but I do not remember the names.

1431. Did either of them apply to you for your vote on their side?—Yes.

1432. What did you say?—I did not promise.

1433. Did you tell them you declined to make any distinct promise?—I declined making any promise.

1434. A few days after that did you see Mr. William Smith?—I did.

1435. Is that the person who is a cordwainer and a beer-house keeper?—Yes.

1436. The Northumberland-place man?—I think that is where he lives. I do not know where he lives exactly.

1437. William Smith, the beer-house keeper?—I believe that is what he is.

1438. Did he say anything to you about the election?—He asked me which way I was going to vote, or something to that effect.

1439. What did you say to him about it?—I merely said that I thought I should vote on the Liberal side.

1440. What did Mr. William Smith say to that idea of yours?—He told me that he was engaged by the Conservatives, or the Tories rather.

1441. What else did he tell you?—I do not remember what else he said. Merely a general conversation passed between us respecting the election.

1442. Did he say how he was engaged; engaged doing what?—He said he was an agent.

1443. *Chairman.*] Be careful; is that the language that he used; did he say he was engaged for the Tories, or did he say that he was an agent?—He said he was engaged by the Tories, and I implied from that that he was an agent.

1444. He told you he was engaged?—Yes.

1445. And you implied that he was an agent?—Yes.

1446. Mr. *Sargood.*] Did he make any suggestion to you; anything else?—No; he merely said

said, it does not signify which way you vote, because you do not think anything of it afterwards. It was a remark similar to that.

1447. Did he make any suggestion beyond its not signifying which way you voted?—No, he said he was going farther down the town, and he would come and see me as he came back.

1448. Did he pay you another visit?—Yes, half-an-hour after, or something to that effect.

1449. Did he then say anything to you as to its making a difference which way you voted?—No, he merely asked me to walk with him.

1450. Walk with him where?—Across the Cleapel Danes.

1451. Where to?—To Wilshack's.

1452. Did he tell you why he wanted you to walk with him to Wilshack's?—He said there would be 15 *l.* for me, or something to that effect, I would go there.

1453. By the *Committee.*] Who told you that?—William Smith.

1454. Mr. *Sargood.*] Having told you that, I suppose you did go with him to Wilshack's?—I did.

1455. Did you take anything there?—I had a glass of ale.

1456. Who else had one?—William Smith, the witness.

1457. Did you pay for it?—I did not.

1458. Who did?—I do not know; I think Smith paid for it.

1459. You did not pay for it?—I did not.

1460. Did you see Wilshack there?—I just see him with Smith; they was in conversation.

1461. Where did he and Smith carry on their conversation?—In a room, privately.

1462. Leaving you behind?—Leaving me in the bar.

1463. How long were they together?—I cannot say; it might be five minutes, or perhaps 10; I cannot state the time; not exceeding 10 minutes.

1464. After that, did you and Smith leave?—I did.

1465. How far did you go away together?—Perhaps 20 yards; he went one way and I went another.

1466. Did you separate then?—Yes, we did.

1467. What did Smith say to you on leaving you?—He said something to the effect that he should see me again. It was only a general conversation, nothing particular alluding to the election.

1468. Did you see him again?—Yes, I did.

1469. The same night?—No.

1470. When was it?—On the night of the election, a day or two before the election, I see him first, I think.

1471. Did he bring you anything?—No.

1472. Did he come again afterwards and bring something?—I do not know; if he did I did not take it of him.

1473. Did he tell you where you could get anything?—He did.

1474. What did he say to you when you spoke about it?—He told me if I went down to Wilshack's I could have 15 *l.*

1475. That was very kind advice to give you; did he say whether he expected anything out of it himself; did he say anything about getting anything out of it himself?—No.

1476. Did you go down to Wilshack?—I did.

1477. Did you find him at home?—Yes.

1478. Where did you transact your little business; in a private room or in the bar?—In a private room.

1479. Where you had seen him and Smith go?—No, I cannot tell where they went; they went out of my sight; I cannot tell where they went.

1480. Having got into the private room, what did Wilshack give you?—He gave me 15 *l.*

1481. What was that for?—He asked me to be at the poll early the following morning.

1482. What were you to do at the poll?—Vote for Sir Edmund Lacon and Mr. Goodson; but he deducted half-a-sovereign.

1483. Did he give you 15 *l.* or 14 *l.* 10 *s.*?—£. 14 10 *s.*

1484. You were expecting 15 *l.*?—I could have had it if I did not please to leave the other half sovereign.

1485. Why did not you have it, or why did not you leave the half-sovereign?—Wilshack asked me to leave it.

1486. What for?—For Smith.

1487. You did so, I suppose?—I did so willingly.

1488. By the *Committee.*] You only got 14 *l.* 10 *s.*?—Yes.

1489. Mr. *Sargood.*] Having got your 14 *l.* 10 *s.*, did he give you any card, or paper, or anything?—He gave me a card.

1490. A printed thing?—A printed card.

1491. Did you take that with you up to the poll?—No, it referred to a different ward from what I was in.

1492. It had not got the right number on?—It had not got the right number on.

1493. It had got the right names, I dare say?—Yes, I did not miss them.

1494. Did you vote for the gentlemen whose names were on the card?—I did not.

1495. Who did you vote for?—I voted for Brogden and Vanderbyl.

1496. They were not the names on the card he had given you?—No.

Cross-examined by Mr. *Clerk.*

1497. Had you ever been at Mr. Wilshack's house before?—Yes, several years ago.

1498. You used to drop in occasionally and have a glass of ale?—Yes, when business called me that way.

1499. Have you gone in there with Smith, the cordwainer, and had a glass with him occasionally?—Never but that once that I state.

1500. Did you keep this 14 *l.* 10 *s.*?—I put it into my pocket.

1501. And spent it?—I believe I did spend it; I have not got it now.

1502. You put the 14 *l.* 10 *s.* into your pocket, and you went and voted for Brogden and Vanderbyl?—I did.

1503. Did you get anything else besides the 14 *l.* 10 *s.*?—For voting? Had I anything else? I had a glass of brandy and water that I paid for.

1504. Before you voted for Brogden and Vanderbyl did you get any other money?—Yes.

1505. How much was it?—I got 10 *l.*

1506. Ten pounds in addition to the 14 *l.* 10 *s.*; who gave you that?—I do not know.

1507. A Yarmouth man?—I do not know who he was.

1508. Had you never seen him before?—Not that I am aware of.

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1509. Do you really mean to say that you did not know who he was?—I tell you I do not know who he was.

1510. Was that 10*l.* given to you to vote for Brogden and Vanderbyl?—They did not say what it was for. They did not tell me anything.

1511. Who did not tell you anything?—Not anybody did not.

1512. Nobody told you how you were to vote; one gentleman gave you 14*l.* 10*s.*, and another gentleman gave you 10*l.*?—Yes; that is right.

1513. Where was the 10*l.* given you?—I do not know the name of the house. I went with a friend.

1514. Who was the friend?—It is a friend who is not here.

1515. We are very curious here; what is his name?—His name is Laxon that I went with.

1516. What is Mr. Laxon?—He keeps an eating-house.

1517. What street was the house in that you went to?—I do not know the name of the street.

1518. I ask you, on your oath, do you mean to tell us that you do not know the name of the street?—I tell you candidly I do not.

1519. Had you ever been in the house before?—Never before in my life.

1520. Was it a public-house?—I believe it is a public-house; it is a house where they draw beer.

1521. Which end of the town is it in?—Towards the south end.

1522. How long have you lived in Yarmouth, all your life?—No, indeed I have not. I have lived there some ten years or somewhere thereabouts.

1523. How far do you live from the south end?—I live in Gaol-street, nearly opposite the gaol.

1524. That does not tell the Committee where it was?—I cannot tell the distance. I live about midway in the town, between one end and the other.

1525. How far is it?—I cannot tell you; it may be half-a-mile, or it may be over or under, somewhere thereabouts.

1526. How long would it take you to walk from your own house to the place where you got the 10*l.*?—I should say about 10 minutes.

1527. Do you mean to swear that you do not know what the name of the house is?—I swear I do not.

1528. You went there with Laxon?—I did.

1529. Whom did you see there besides Laxon?—I do not know the names; nobody that I knew.

1530. Was there nobody that you knew?—Not anybody that I knew.

1531. When was it you went with Laxon to this house?—The night previous to the election.

1532. After you had seen Wilshack?—No.

1533. When was it that you were at Wilshack's house?—About 10 o'clock or half-past 10 o'clock on the night previous to the election.

1534. Did you go to Wilshack's after you had got the 10*l.* from the other side?—Yes. Smith was a mind to have me go.

1535. You had got 10*l.* from the blue side before you went to Wilshack?—Yes.

1536. Then you had got 10*l.* from the blue side to vote for Brogden and Vanderbyl?—They did not tell me what it was for.

1537. But you knew pretty well?—I did not know any more than I did the other side. I was not solicited to vote for it.

1538. You did not know any more that it was for the one side than for the other?—I swear that I did not know it was for that; they did not ask me to vote for them, not for that money.

1539. Did not you know it was in the Brogden and Vanderbyl interest; you went into a house, it was a house in their interest?—I had not no information respecting the red or blue.

1540. How did your friend Mr. Laxon vote?—He voted for the Liberals.

1541. According to your account, having got 10*l.* from one side from this house in the south part of the town, you then took 14*l.* 10*s.* from somebody else; that is your story?—That is my tale.

1542. And you did not know any more what you got the 10*l.* than what you got the 14*l.* 10*s.* for?—I did not know. Wilshack asked me to vote for him the following morning. That is more than I was asked on the other side.

1543. You tell this Committee that you had no idea what you got the 10*l.* for when you went to this house?—I say I was not asked what I was to do for it.

1544. You had no idea what it was given you for?—I may have had an idea that it was given me for that; but I say I was not asked to do anything for it.

1545. Then you do not know what it was given to you for?—I do not.

1546. By the *Committee.*] Have you ever voted on previous elections?—Yes; two or three.

1547. On which side have you voted then?—The Liberals.

1548. Do you consider it consistent with your notions of political morality, after you had taken 10*l.* from your own side, to take 14*l.* 10*s.* from the other?—I took it; it was offered me.

1549. And then to vote against them?—I voted against.

[The Witness withdrew.

ROBERT NOBBS was called in; and, having been sworn, was Examined by Mr. *Mellor*, as follows:

R. Nobbs.

1550. WHAT are you, and where do you live?—Yarmouth. I am a Shoemaker by trade.

1551. Do you remember the last election?—Yes.

1552. Did you vote at that election?—Yes.

1553. Do you know William Blyth?—Yes, quite well.

1554. How did you vote?—I voted for Brogden and Vanderbyl.

1555. Did anybody call upon you about a fortnight before the election to ask you for your vote?—Mr. Lacon called about a fortnight before.

1556. Sir Edmund Lacon?—Yes.

1557. What did you tell him?—He asked me whether I could support him on his election, and I told him no.

1558. Did he say anything then?—He asked me, why not? I told him that I should go on the other side.

1559. When you told him that you should go on the other side, did he say anything more to you?—He said he should put me down doubtful, and he went out.

1560. You say you know William Blyth well?—Yes.

1561. Did

1561. Did you see William Blyth the Monday before the election?—Yes.

1562. Did he ask you anything about your vote?—He asked me which way I was going, and I told him, "You know which way I am going. You know what principle I intend to go."

1563. When you had told him that, did he say anything more to you?—He said it would not matter to me if I got anything by it.

1564. Did he say anything more?—He asked me what I wanted.

1565. What did he say then?—I asked him what he intended giving me that I should take.

1566. What did Blyth say to that?—He asked me if 15*l.* would satisfy me, and I told him yes.

1567. What was that 15*l.* for?—To vote for Lacon and Mr. Goodson.

1568. Did he then give you anything?—He gave me 5*l.*

1569. He promised you 15*l.*; did he say anything about the other 10*l.*?—If I went to him the next morning he would give me the other 10*l.*

1570. Did you go to him the morning of the election?—The morning before the election; the Tuesday morning.

1571. At what time?—It was about between eight and nine, or somewhere thereabouts; I cannot exactly say the time.

1572. Was he alone?—Yes.

1573. Did he take you anywhere?—Into his room.

1574. What did he do when he took you into his room?—He gave me 10*l.*

1575. Where did he take the 10*l.* from?—Out of his pocket.

1576. Was it loose in his pocket?—I cannot say whether it was loose or in a purse. I believe I might say it was in his purse.

1577. After he gave you the ten sovereigns, did he say anything more to you?—He said, "You vote early for Sir Edmund Lacon and Mr. Goodson, and I will give you another sovereign.

1578. Did he afterwards give you the other sovereign?—No; I did not go to him after it.

1579. By the *Committee.*] You say you did not go; but I understood you, in answer to a question which was put to you, to say that subsequently you voted for Brogden and Vanderbyl?—Yes. *R. Nobbs.* 21 March 1866.

1580. Did you return the 15*l.*?—No, I did not.

1581. Have you spent it at this moment?—Yes; at least I did not keep it. I have used it for the purpose that I wanted it.

1582. You have not returned it?—No, I have not returned it.

1583. You have not returned it to Blyth?—No.

1584. Before you voted, did you get any money on the other side?—No.

1585. Will you swear that you had received no money whatever before you gave your vote on the other side?—Well, I did receive some.

1586. What did you receive?—Well, 15*l.*

1587. From whom did you receive the 15*l.*?—I do not know.

1588. Will you swear you do not know?—Yes, certainly, that I can.

1589. Was it a Yarmouth man or a stranger?—I cannot tell. I believe it was a stranger.

1590. Will you swear it was not a Yarmouth man?—No, I would not swear it was not a Yarmouth man; there may be Yarmouth men that I do not know, but he was a stranger to me.

1591. Was 15*l.* all that you received?—Yes.

1592. When did you receive the 15*l.*; was it before you had received the 15*l.* from Blyth?—No, after.

1593. Did you tell the stranger who gave you the 15*l.* to vote for the Blues, that you had previously received 15*l.* from Blyth?—No, I did not tell him anything.

1594. Then you have pocketed 30*l.* by the transaction?—Yes.

1595. And nothing more?—No.

[The Witness withdrew.

JAMES GRYMES was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows.

1596. ARE you a shoemaker carrying on business in Caiston-road?—Yes. *J. Grymes.*

1597. Are you one of the voters at Great Yarmouth?—Yes.

1598. Do you know a person named George Watson?—Yes.

1599. Did you see Watson shortly before the election?—Yes.

1600. Did you meet him in the street?—Yes.

1601. Just tell us what took place between you?—He asked me if I had promised my vote, and I said "No."

1602. What did he say then?—He said he was in a position to give me 10*l.* if I would vote for Lacon and Goodson.

1603. Did you see him more than once?—Yes. The next time he told me that he would guarantee me 10*l.* down, and if there was no opposition I should have that 10*l.*; and if there was an opposition he would give me 5*l.* further.

1604. Did anything more take place between you and Watson?—Yes, at different times afterwards. I think about four times; some four or five times.

1605. Did he on each occasion make this proposal to you?—Yes.

1606. Were you very near to his house when you were talking together?—Very close by. The last time we were very close by and he would have pulled me in and gave me the money.

1607. How do you know he would have pulled you in?—He asked me to go in.

1608. What did he say about going in?—He said "Come in and take your tin."

1609. However, you did not go in?—No.

1610. Did you about the same time see Mr. Blyth, the painter?—Yes.

1611. When was that?—I saw Blyth three or four different times.

1612. Did he say anything about the election?—Yes.

1613. What did he say?—He asked me if I had promised my vote, and I said "No, I have not promised." He said, if I would like to vote for Lacon and Goodson he would guarantee me 10*l.*

1614. Was that the highest he went?—No, I met him after that in Gaol-street; he then had a long paper.

1615. Do you mean a printed paper or a written paper?—A written paper.

1616. What did he say?—He asked me if I had promised, and I said "No." He asked me what

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what amount I wanted, and I said I should not set any amount. I never had a vote before, and I only wanted to be treated as other people; if other people get 15 *l.*, I should like to have 15 *l.* I said, "I have been offered 10 *l.* by your party two or three different times."

1617. Did Blyth tell you which way he would have you to vote?—Yes.

1618. Who for?—Lacon and Goodson.

1619. What more did Blyth say to you about it?—I saw Blyth again the Monday before the election; he said, "You are not agoing to turn your back on us, are you?" I said, "I have never promised to vote for you yet, and I shall not vote for you if you give me 50 *l.*"

1620. Was Watson alone when you met him always?—Yes.

1621. And Blyth too?—Yes.

1622. Did you see anybody with them at any time?—I have seen them with different people. The last time I met Blyth, he said he was out on that business. He pulled a paper out and clapped it up against a wall and wrote my name down and 15 *l.* at the end of it; he had, I should say, about 15 or 20 other names down, and a price against every name. I see it upon the wall.

1623. Have you seen Blyth lately?—Yes.

1624. When did you see him last?—I see him the Monday before the election.

1625. I mean when, lately, have you seen him?—Yes, I have seen Blyth lately, but I have not told you all that passed between me and Blyth the last time.

1626. Just be good enough to finish?—He said, Well, I think we are safe without you; we have got more than we want.

1627. By the *Committee.*] When was this?—That was the Monday before the election. I said, "Do you suppose, Blyth, all those that you think you have got will all vote for you?"

Mr. *O'Malley* objected to the evidence.

The *Chairman* over-ruled the objection.

1628. Mr. *Sargood.*] Just finish what you were about to tell us?—He said, "How many do you suppose we shall have for our loss?" I said, "I am sure I do not know." He said, "Only four per cent.; I had 100 on my list last election, and John Cooper had 200. I lost but two, and he lost but four. John Cooper is the best electioneering agent we have in the town. If you find him the stuff he will win this election."

1629. What else took place between you and Mr. Blyth?—Nothing more.

1630. Did you see Blyth on any other occasion on which he said anything to you about the progress of the election?—I do not remember anything particular; only when I see him last Friday morning he was smiling. I said, "Blyth, you look smiling;" he said, "Yes." I said, "I suppose things are going in your favour." "Yes," he said, "we have got a Tory chairman," he said, "and that is 50 to one against you."

1631. Did Blyth say anything to you about anything else?—He said "he should think the other party would give it up."

1632. Never mind about the other party giving it up; but did he say anything to you as to what you might be asked, or what you would know?—No, nothing else.

1633. Did he ask you at all what you knew?—I do not remember.

1634. Did he say anything to you about what you knew if you were asked?—Yes, I do remember that. He was the first man that told me there was a petition got up against the sitting members; and he said, "If any parties come to you you must know nothing."

1635. I had forgotten about Cooper; did you say you knew Mr. John Cooper whom Mr. Blyth alluded to?—Yes, well.

1636. Who is he, and what is he?—He is a bookbinder; a printer and bookbinder.

1637. Mr. *Sargood.*] What aged man is Cooper?—I should say about 40 or 45.

1638. Do you know his family?—Not much of his family.

1639. Do you know whether he has any children?—He has a family, but I do not know anything about his family. I have conversed with him at different times.

1640. What sort of a looking man is Cooper?—He is a fattish, full-faced man.

1641. Have you ever seen his children?—I do not remember ever seeing of them. He told me where they lived.

1642. Have you seen Cooper lately?—No.

1643. How long is it since you saw him?—I have not seen Cooper for weeks.

1644. Have you seen him since Blyth told you there was a petition to complain of the election?—I have seen him since that.

1645. How soon after that did you see Cooper?—Not very long after.

1646. And since then has he disappeared?—He has disappeared altogether.

1647. Since then have you seen him?—Not at all.

1648. Did you have any conversation with him when you saw him?—Not the last time.

1649. Or the time before?—Yes, we had some talk about the election then.

1650. Mr. *Clerk.*] The time before, when was that?—I cannot say exactly how long it was, but it is some time in the election affair.

1651. Mr. *Sargood.*] Do you remember the day of the week?—No, I cannot. It was in the barber's shop. I cannot tell you that.

1652. What conversation had you with Cooper in the barber's shop?—He was strong for the Tories, and I seemed to be in favour of the Liberals; and he told me he should vote for a Tory if he was the Devil.

Cross-examined by Mr. *Clerk.*

1653. It seems you are a pretty strong Blue, at all events?—That is my inclination.

1654. Will you tell the Committee what I asked a little while ago—Who is, or what is, Mr. George Watson?—A game merchant.

1655. You have told the Committee that you said to Blyth that as you had never had a vote before, you wanted to be treated as other people, that was it, was it?—Yes.

1656. But a few days afterwards it seems you told him, "I shall not vote for you if you give me 50 *l.*"?—Yes, that is true.

1657. Then the time before you wanted to be treated as other people, and then on the next occasion you would not vote for him if he gave you 50 *l.*?—They told everybody I was going to vote for them.

1658. What did you get for your vote?—I promised to vote for the Liberal party.

1659. What did you get for your vote?—When Mr. Brogden called upon me I promised him

him if I voted I should vote for the Liberal party.

1660. What did you get for your vote. I am sorry to repeat the question three or four times? —The Witness hesitated.

1661. *Chairman.*] You are here to speak the truth. You must answer the questions put you by the learned Counsel?—I received 20*l.*

1662. Mr. *Clerk.*] 20*l.* to vote for Brogden and Vanderbyl; you got that, I think?—Yes.

1663. And you voted for Brogden and Vanderbyl?—Yes.

1664. Where was it paid you?—I do not know who paid me.

1665. Where, I said?—It was paid in the house of a man named Wright.

1666. Did you go to the Angel? Do you know the Angel at Yarmouth?—Yes, well.

1667. Did you go there?—Yes, I went there.

1668. Was anything paid you there?—Nothing.

1669. Did you get a ticket there?—Nothing.

1670. Whom did you see at the Angel?—I see several of the committee. *J. Grymes.*

1671. Was it before you had got your 20*l.* that you saw some of the committee at the Angel?—No. 21 March 1866.

1672. After you had got your 20*l.*?—Yes.

1673. Then you went to the Angel?—Yes.

1674. How came you to go to Wright's, where you say you got paid the 20*l.*?—I was asked to go down to Wright's.

1675. Who asked you?—I almost forget who it was asked me.

1676. No, no; you have recollected so much of all this conversation with Blyth, and all about John Cooper. Who was it told you to go down to Wright's?—I almost think it was Edwards. I would not be positive. I do not think I can be positive about it.

1677. I suppose you have been very blue ever since you got that 20*l.*?—As blue as I was before.

[The Witness withdrew.

JOHN STANLEY was called in; and, having been sworn, was Examined by Mr. *Mellor*, as follows:

1678. WHAT are you, and where do you live?—A stonemason; at Great Yarmouth; carrying on business as a stonemason. *J. Stanley.*

1679. You are a voter for the borough, I believe?—I am.

1680. Did anybody come to you some time before the election to solicit your vote?—Yes.

1681. Who was it that came to you?—I believe Sir Edmund Lacon and Mr. Goodson called at my place. I was not at home.

1682. Did you see them?—I did subsequently.

1683. By the *Committee.*] Did you see one or both?—I saw them both.

1684. Mr. *Mellor.*] When you saw them what passed. Was anything said to you?—They asked me whether I would promise them my vote.

1685. What did you say?—I said "No."

1686. Did you give any reason for not promising to vote for them?—I did not promise them.

1687. Did you give any reason for not promising?—No, I do not know that I did at that time at all.

1688. Did you at any subsequent time?—No, I do not know that I did at any subsequent time.

1689. Did you give Sir Edmund Lacon any reason personally for not promising to vote for him?—I believe there was something. It was some two or three years since; I was a little bit in difficulties; and I thought I was treated rather unkindly by Sir Edmund Lacon.

1690. Is Sir Edmund Lacon a banker at Great Yarmouth?—Yes.

1691. Do you remember what you said to Sir Edmund Lacon about that little difficulty?—No, I cannot remember what I did say.

1692. Do you remember the substance of it?—No; there was very little passed between Sir Edmund Lacon and me at the time, very little indeed. I do not know. It was hardly half-a-dozen words; that I am quite confident.

1693. When you said to Sir Edmund Lacon what you have just spoken about, those little difficulties, was anybody with him?—No; Mr. Goodson was with him, but some distance away; not near enough to hear what passed between Sir Edmund Lacon and myself.

1694. Was there anybody else?—No, not that I am aware of.

1695. Did you see Sir Edmund Lacon again after that before the election?—No.

1696. Did you give Mr. Goodson any reason why you would not promise him your vote?—Yes, I did.

1697. I want to know what it was?—There was some marble I had come down by railway, and I thought I was treated rather strangely over that matter.

1698. What Company was that?—The Great Eastern.

1699. Did you know that Mr. Goodson was or had been the Chairman of that line?—I knew he was at that time.

1700. Could you tell us, as near as you can remember, what you told Mr. Goodson about that marble?—There was very little passed between Mr. Goodson and me about the marble: he said if that marble was broken, I had my remedy by applying to Mr. Moseley about it; there was not anything more said to me by Mr. Goodson.

1701. Did you apply to the traffic manager?—I did.

1702. When?—I applied to the manager; it was previous to the election I applied to the manager.

1703. When you applied to the traffic manager, did you get compensated for the damage that was done to your marble?—No, I did not.

1704. Did you tell Mr. Goodson that you had not been compensated?—I do not know hardly what passed about it; I know Mr. Goodson referred me to the manager, and I placed the matter in Mr. Costerton's hands.

1705. When you told Mr. Goodson about it, what did he say to you?—All he said to me was what I have now told you, that if I had any claim I must refer to the manager about it, and lay my claim there; I did do so; that was all Mr. Goodson said to me about it.

1706. How long before this time was it that you made the application to the traffic manager?—I am sure I am unable to say.

 1707. Was

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1707. Was it some months?—I am sure I cannot say, it is so long since.

1708. It is so long ago that you cannot remember, but it was before, you have no doubt about that?—Yes, it was before; I believe that Mr. Costerton, if I mistake not, had it in hand at the time; I think so.

1709. Did Mr. Goodson say that he would send anybody to you?—No.

1710. Shortly after you saw Sir Edmund Lacon and Mr. Goodson, did a person named Johnson call upon you?—He very frequently called upon me.

1711. Did he call shortly after that?—He very frequently called upon me, before and after too.

1712. On any occasion when he called, after Sir Edmund Lacon and Mr. Goodson had asked you about your vote, did he give you anything?—No.

1713. Did he not?—No.

1714. Do you remember, after Sir Edmund Lacon and Mr. Goodson had canvassed you, how long it was that that Johnson called upon you for the first time before the election?—My dear sir, I am unable to answer that; he is frequently with me; I was doing business for him frequently.

1715. On those occasions when he called to see you, did he ever speak to you about the election?—I believe he just once said he thought now I was doing a lot of work for him, I might oblige him by voting in his interest.

1716. What did you say to that?—I said I should not do anything of the sort, and I proved I did not do it; I voted for the other Members.

1717. Did he say anything more to you?—No.

1718. Did he never say anything more to you about the election?—No.

1719. Are you quite sure; I wish you to think and remember?—I do not want to think at all, I am quite certain about it, because we had no more conversation whatever about it.

1720. Are you quite sure he never gave you anything?—Yes, I am.

1721. Did he ever pay you any money upon those occasions at all?—No.

1722. Did you ever tell anybody that Mr. Johnson had given you money?—No.

1723. Are you quite sure about that?—I am quite sure about it.

1724. That he never gave you any money at any of those interviews, and that you never told anybody?—No.

1725. Have you been asked about this before?—Mr. Costerton, some little time ago, came to my place to ask about it.

1726. Mr. *O'Malley.*] Is Mr. Costerton your own attorney?—Yes.

The *Chairman* stated that Mr. Mellor could not go into matters which had taken place between the witness and his attorney.

1727. Mr. *Sargood.*] (To the *Witness.*) Do you know a man named Neave?—Yes, I do; Neave is a friend of mine.

1728. Did you ever tell Neave that one Johnson had given you any money?—No.

1729. Have you seen Johnson since the election?—Yes, many times.

1730. When did you see him last?—I saw him just this minute, just before I came in.

1731. Have you had any conversation with Johnson?—None whatever.

1732. None at all?—No.

1733. But you were with him, I suppose?—I have been walking backwards and forwards with him. I have been in the lobby with him.

1734. You have been walking together?—Yes; but we have had no conversation about it.

1735. Did you come up in the train with Johnson?—No; I did not come up in the train with Johnson. I came up 20 minutes to 9 last night. I sat in a second class carriage all the way alone.

1736. When did you first see Johnson to-day?—I saw him here.

1737. Was that the first time you saw him to-day?—Yes; that is the first time. I will take my oath of it.

1738. I may take it that if anybody has said that you said to him that he gave you money it is not true?—I never said anything of the sort.

1739. By the *Committee.*] For whom did you vote ultimately?—For Brogden and Vanderbyl.

[The Witness withdrew.

Mrs. *Eliza Smith* being summoned as a witness, and not appearing,

Mr. *Wyatt* was heard to claim the indulgence of the Committee in respect of the non-appearance of this witness. He stated that in spite of three persons being engaged endeavouring to keep the witnesses at the door of the Committee Room, efforts were made to induce them to disappear.

Mr. *Clerk* stated that this, in respect of being practically an imputation upon the sitting Member, was a most improper statement, and that it should either be supported by evidence or withdrawn.

The *Chairman* suggested that if the means at present adopted were insufficient to keep the witnesses together, further means should be employed.

Mr. WILLIAM PALMER was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

Mr. *W. Palmer.*

1740. WHAT are you?—A master shoemaker.

1741. Are you one of the voters of Great Yarmouth?—Yes.

1742. For whom did you vote at the last election?—Sir Edmund Lacon and Mr. Goodson.

1743. Did anyone apply to you before the election soliciting your vote?—Sir Edmund Lacon came round on the canvass.

1744. Anybody else?—Mr. Brogden and Mr. Vanderbyl called on the opposite side.

1745. Being asked on both sides, did you promise to either at that time?—I promised to Sir Edmund Lacon.

1746. Do you remember when that was?—No; I cannot remember the date.

1747. Had you been canvassed by anyone before Sir Edmund Lacon's visit?—No.

1748. Were you afterwards?—No.

1749. Did you ever see Mr. Charles Ablett about the election?—No; not about the election.

1750. Did

1750. Did you see him about that time?—Yes; I have seen him in the gardens and in the street.

1751. Did you speak about the election? —No.

1752. Have you ever spoken to him about the election?—No.

1753. Did you have any money from anyone before you voted at the election?—No.

1754. Not from anyone on any account?—Not from anyone.

1755. Did anybody offer you any money?—No.

1756. Have you told anyone that you have ever spoken to Mr. Ablett about the election?—No.

1757. You never told anybody that?—No.

1758. Do you know Mr. James Ellis?—I know Mr. Ellis, a tailor.

1759. Did he talk to you about the election?—No.

1760. Never spoken to you about it?—No.

1761. Did you ever tell anybody that he did?—No.

1762. You are William Palmer, the shoemaker, of Great Yarmouth, are you?—I am.

1763. Is there any other William Palmer, a shoemaker, there?—Not to the best of my knowledge.

1764. You live in Howard-street, do you not?—Yes.

1765. Do you know a Mr. Smith, a musician in the militia band?—Yes.

1766. Were you ever in a room with Ablett and Smith together?—

Chairman.] What Smith is this? we have had two James Smiths. It is not one of these, is it?

Mr. *Mellor.*] No, it is not.

1767. Mr. *Sargood.*] Do you know such a man?—Yes.

1768. Were you, he, and Ablett ever in the room together?—No.

1769. Never?—Not to the best of my knowledge.

1770. Does Mr. Ellis, the tailor, live near you?—Yes.

1771. Do you remember going to his house before the election?—No; only on business.

1772. I do not ask you whether upon business. Did you go to his house?—I am often at his house.

1773. You are often there?—On business.

1774. We will assume it was on business. Did you get any money when you called on business?—No; only for the work I had done.

1775. What work had you done?—I am a shoemaker, and make and mend shoes for him.

1776. Have you made shoes for him?—For him and his family.

1777. Did Mr. Ellis give you any money shortly before the election?—No.

1778. When did you come up to London?—On Tuesday afternoon I started.

1779. Tuesday?—Yes.

1780. Did you see Mr. Ellis after you got to London?—Yes, I have seen him.

1781. Where did you see him the first time after you got to London?—I saw him down at the station.

1782. Was anybody with him?—I saw another gentleman with him.

1783. Was that Mr. Baughton?—Yes.

1784. Did Mr. Ellis and Mr. Baughton come up in the train with you, or did you find them waiting at the station when you got up?—I saw them at the station.

1785. When you arrived?—Yes.

1786. Who came up with you in the train; anyone you know?—Mr. Bullimore was one that I knew.

1787. Anybody else?—Mr. Johnson.

1788. Mr. Halley; was he there?—No.

1789. When you met Mr. Ellis and Mr. Baughton at the station in London, what became of you; did you stop with your own party, or go on with them?—

Mr. *Clerk* inquired what was meant by "his own party."

1790. Mr. *Sargood.*] Did you stop with the persons with whom you came up, or did you go off with Mr. Bullimore anywhere?—I went with Mr. Bullimore to a concert room.

1791. Did you go there immediately; direct from the platform?—Yes.

1792. What time in the evening was it?—I cannot state the exact time, but it was the time that the train arrived.

1793. Was it in the afternoon or the evening?—In the evening.

1794. Was Mr. Ellis with you during that evening?—Yes, he was with me some part of the time.

1795. At the concert-room?—He went into the concert-room, I believe; I saw him in the concert-room.

1796. You went in together, I suppose?—No; I think not.

1797. Which went in first?—I went in first.

1798. How long after did he come in?—I cannot state how long after.

1799. Did you speak to him while you were there?—I might have had some few words.

1800. I know you might. I asked you whether you did; did you?—Yes, I might speak to him.

1801. I know you might, but I want to know whether you did. Did you talk to him in the concert-room?—Yes, I will say at once that I did.

1802. After the concert was over, did you see Ellis anywhere else?—Yes.

1803. Where did you see him next?—At my lodgings.

1804. Did you ask him home with you, or what?—No, I did not ask him home.

1805. Did he come without invitation?—I suppose he was lodging at the same house.

1806. Then as he was in London when you arrived, I suppose you went to lodge at the same house that you found he was at?—I did not make any point of it.

1807. I do not ask if you made a point of it. I ask the fact; did you go to get a lodging at the same house that Ellis was at?—I was a stranger in London, and of course I had to ask somebody where I was to go to.

1808. Who did you ask?—Bullimore.

1809. Was he a stranger in London, too?—No, I believe not.

1810. Did Bullimore take in Mr. Ellis?—He took me to a house somewhere in Covent Garden, I think he calls it.

1811. That was not Ellis, was it?—No.

Mr. *O'Malley* objected to the course of examination as being a waste of time.

The *Chairman* stated that it might be apparently

Mr. *W. Palmer.*

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apparently irrelevant, but that he thought the witness might be regarded as a hostile witness.

1812. Mr. *Sargood.*] (To the *Witness.*) He did not take you to Ellis's house, did he?—I do not know who the house belongs to.

1813. You know what I mean; you said you went to lodge at some house, and that Ellis went there too; I ask did Bullimore take you there?—Yes, I wanted to know where I was to go to; Bullimore knew more about London than myself.

1814. Did he take you to Ellis's lodgings?—He took me to a house, and it proved to be the house, I suppose, where Ellis lodged.

1815. And is that the place where you and Ellis went to after the concert?—Yes; I went there after the concert.

1816. Was it a public house or a private house?—A hotel, to the best of my knowledge.

1817. Did you and Ellis have your supper together, or did you get that at the concert room?—I got that at the house.

1818. Did Ellis get his there too?—That I am unable to say.

1819. You did not see him?—I did not see him.

1820. Did you see him at breakfast time?—When?

1821. The next morning; this morning?—Yes, I saw him this morning.

1822. Perhaps you came here together?—Down to this place?

1823. Yes?—No, certainly not.

1824. Which started first?—I cannot say which started first.

1825. Have you seen him since you came down here?—Yes, I have seen him in the passage here.

1826. You have been talking to him, I suppose?—Yes, I have occasionally asked him a question about London, and so on.

1827. Before the day of the election did this same Ellis give you a sum of 20 *l.*?—No.

1828. Or any other sum of money thereabouts?—No.

1829. £. 10?—No.

1830. £. 15?—No.

1831. Or anything between the two?—No.

1832. Did he give you any money at all?—No.

1833. Did you ever tell anybody that he did?—No.

[The Witness withdrew.

Mrs. Eliza Smith was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

Mrs. *E. Smith.*

1834. Is your husband's name George Smith?—Yes.

1835. Whereabouts do you live in Great Yarmouth?—132 Row, Gaol-street.

1836. You have a neighbour, I believe, Mrs. Stringer, have you not?—Yes.

1837. What is her husband?—A corn porter.

1838. Do you remember the election of last year?—I do.

1839. Were you and Mrs. Stringer one day out together?—One evening we were.

1840. I am going to ask you about seeing a man named Harvey; can you tell me how long that was before the election?—The Monday before.

1841. On that evening did you see George Harvey?—I did.

1842. Who was with him?—Mr. Cooper.

1843. Is that John Cooper, the printer?—He is a printer, but what his christian name is I do not know.

1844. Do you know whether that Mr. Cooper, the printer, has any children?—I do not know.

1845. Are you speaking of a lad of 15 or 16, or of a man?—Of a man.

1846. A grown-up man?—Yes.

1847. Have you any idea of his age?—No.

1848. Perhaps you are not a judge of age, and therefore I will not ask you?—No, I am not.

1849. Seeing Cooper and Harvey together, was anyone else with them?—Not when I first saw them.

1850. Afterwards did you see anybody else with them?—No; Cooper left Mr. Harvey; Mr. Harvey went to speak to some gentleman on the Old Quay, more on the opening of the Regent-road; they call it the Regent-road, and there stood some gentleman, and Mr. Harvey went and spoke to him.

1851. By the *Committee.*] Who is Harvey?—A blacksmith.

The *Chairman* inquired whether he had been examined; Mr. *Sargood* stated that he had.

1852. Mr. *Sargood.*] (To the *Witness.*) After seeing Harvey with Cooper, who did you see him talking to?—Mr. Roberts.

1853. Is Roberts also a Yarmouth man?—Yes.

1854. Do you know him?—By sight I did.

1855. Were you near enough to hear what they said to each other?—A word or two I heard.

1856. Will you tell us what you heard them say?—He said, "Hallo! old Sam, what is the figure?"

1857. By the *Committee.*] Who said that?—Harvey.

1858. Harvey said that to Roberts?—Yes.

1859. Mr. *Sargood.*] Did you hear whether Roberts told him what the figure would be?—No, I did not.

1860. You did not hear the answer?—No.

1861. Were you near enough to see whether Roberts did speak to him?—Yes.

1862. You did not hear what was said?—No.

1863. Did Harvey talk loudly, or what?—He talked loud enough for me to hear those words.

1864. Roberts did not speak quite so loudly?—No.

1865. What did Harvey next do?—He went to some gentlemen at the corner of Regent-street and spoke to them.

1866. Do you know any of the gentlemen?—I do not.

1867. Where was Roberts while Harvey went to speak to them?—Walking to and fro towards the station house, and from there to the Regent-road, from the New-street, I should say.

1868. Walking up and down on the spot where he had been talking to Harvey?—Yes, backwards and forwards, from Regent-street to the station-house.

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1869. How long was Harvey talking to the gentlemen?—A few minutes.

1870. Did he then come back to Roberts?—Yes.

1871. What took place then?—Harvey went up and spoke to Roberts, and told him to go up the street, and that he would go along the quay.

1872. Was Mrs. Stringer with you all that time?—Yes.

1873. Did Harvey go along the street?—No, by the quay.

1874. Which way did Roberts go?—By Gaol-street.

1875. What did you and Mrs. Stringer do?—We followed him down the Gaol-street, to Harvey's door.

1876. Mr. *Clerk.*] Followed whom?—Mr. Roberts.

1877. Mr. *Sargood.*] Is Harvey's house in that street?—In the Row.

1878. Did you see Harvey?—Yes.

1879. Where did he go?—He went into his house; met Roberts, and they both were in the house together.

1880. What sort of a house was it—a shop or a private house?—It was a private house where they went to.

1881. Are there windows near the street?—One leading to the Row, I believe.

1882. I call it a street. They call it a Row, do they?—Yes, it is a Row.

1883. Did you and Mrs. Stringer go up to the house?—Yes.

1884. You saw Roberts and Harvey go into it?—Yes.

1885. Whereabouts did you stand while they were inside?—Close by the window.

1886. Could you hear what was said by anyone?—Not at the time they were indoors.

1887. Could you hear whether there was talking or not going on?—There was talking.

1888. You could hear well enough for that, but could not hear the words. Could you hear any sound besides the sound of voices?—We heard the gingling of money.

1889. How long did you wait there?—I suppose it might be five or six minutes.

1890. What happened then?—Of course, they came out.

1891. Both of them?—Mr. Harvey came out to the gate, and said, "Hold your own, old Sam, and be early at the poll."

1892. What became of Roberts after that?—He went up the Row.

1893. Towards his own house?—No; towards Flower's-lane.

1894. Did you and Mrs. Stringer go up to him?—Yes; and Mrs. Stringer clapped him on the shoulders.

1895. Did Mrs. Stringer say anything to him?—

Mr. *Clerk* objected to this question.

The *Chairman* overruled the objection.

1896. Mr. *Sargood* (to the *Witness*)]. Did Mrs. Stringer say anything to him; I do not ask you what she said?—Yes.

1897. Did Mr. Roberts make any answer? Do not tell me what he said?—He did so.

1898. Now, the next day did you see Harvey?—Yes.

1899. Was Mrs. Stringer with you?—No; Mrs. Stringer was alone when Mr. Harvey went to our house, when he was sent for to our house at first. I was not there when Harvey went there, though I was there afterwards.

1900. When was that. How soon after?—The nomination day.

1901. Was that the following day to the one you have spoken of?—It was the nomination day.

1902. What day of the week was that?—That was the Tuesday.

1903. What did you or Mrs. Stringer, in your presence, say to Mr. Harvey?—Mrs. Stringer told Harvey that she had a vote to sell, and would he buy it, as he had bought one last night.

1904. What did Harvey say to her offer?—That, if she had a vote to sell, he could take her somewhere, but that he had no interest in the election himself.

1905. Having heard him say that, what did you or Mrs. Stringer say to that?—

Mr. *O'Malley* objected to this question, and stated further, that Mrs. Stringer had not been mentioned in the opening speech at all.

Mr. *Sargood* stated that this witness and Mrs. Stringer were corroborating witnesses upon the case of Roberts being bribed by Harvey, after communication with Cooper.

The *Chairman* stated that a specific question had better be put, and that any objection there was could be raised upon it.

1906. Mr. *Sargood* (to the *Witness*)]. My question to you was this: you say that Mrs. Stringer told Harvey that she had a vote to sell, and he said that he had no interest in the election; and that then she said that he had bought one last night. What did Harvey say as to that?—That I cannot tell you; that Mrs. Stringer, I suppose, will answer for herself.

1907. Did not you hear the answer?—No.

1908. Did he do anything?—Yes; he offered to buy each of us a new bonnet to hold our tongues.

1909. What did he say, then; did he explain it to you. Do you remember what he said?—Not in particular, I do not.

1910. Did he do anything beyond making the offer?—Yes; he offered to stand a bottle of wine; but we told him no—that we did not wish anything of the kind; and he then told us he would not mind spending the afternoon with us, as he had no particular wish to go to the nomination. He threw down 1 *s.* 2 *d.*, and told us that was all the change he had, but that he would see us again.

Cross-examined by Mr. *Clerk.*

1911. You and Mrs. Stringer picked up the 1 *s.* 2 *d.*?—Yes.

1912. That was all you got for your trouble, was it?—Yes.

[The Witness withdrew.

Mrs. SARAH STRINGER was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

Mrs. *S. Stringer.*

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1913. I BELIEVE you are a neighbour and friend of Mrs. Smith's, who was here just now?—Yes.

1914. Do you remember the election at Great Yarmouth last year?—Yes.

1915. A few days before the election, were you and Mrs. Smith out together one evening?—Yes.

1916. Do you remember what day of the week it was?—On the Monday evening.

1917. Did you on that occasion see a gentleman named Mr. Cooper?—Yes.

1918. Do you know him as a townsman?—Yes; I have seen him.

1919. What is he?—A printer.

1920. Did you see any one with him?—Yes.

1921. Who was it?—Mr. Harvey.

1922. Whereabouts were they talking together?—Nearly opposite the station-house.

1923. How long did they remain talking together where you saw them?—Between five and ten minutes, I should say.

1924. Did you also see a person there named Roberts?—Yes.

1925. Was he a person whom you knew by sight?—Yes.

1926. Did you see either of the other two persons speak to him?—Yes.

1927. Who was that?—Mr. Harvey.

1928. What had become of Mr. Cooper in the meantime?—Mr. Cooper went away to a public-house.

1929. How long were Mr. Harvey and Mr. Roberts together?—Mr. Harvey left him directly.

1930. Did you hear Harvey say anything to Mr. Roberts before he left him?—Yes.

1931. What did he say?—He said, "Hallo! Sam, what is the figure; what is it you want?"

1932. By the *Committee.*] You heard Mr. Harvey say that to Mr. Roberts?—Yes.

1933. Mr. *Sargood.*] Did Roberts make any answer?—We could not hear; he spoke it so low, that we could not hear what he said.

1934. Upon that, what became of Mr. Harvey?—Mr. Harvey went across to the corner of Regent-street, and spoke to some gentlemen.

1935. What became of Mr. Roberts in the meantime?—Mr. Roberts walked to-and-fro.

1936. After he had spoken to the gentlemen; what did he do then?—He left those gentlemen, and twirled his stick, and he went by the quay, and Mr. Roberts went by the street.

1937. What did you and your friend Mr. Smith do?—We followed Roberts by the street.

1938. How far?—Up to Harvey's-row, into the row.

1939. Did you see Harvey come up?—Mr. Harvey met Mr. Roberts close by Mr. Harvey's door.

1940. What became of them then?—They went into Mr. Harvey's house.

1941. What did you and your sister-in-law do?—We heard him chink the money after he got in.

1942. Where were you standing when you heard the chink of money?—Close by Mr. Harvey's door.

1943. Is there a window to the house, as well as a door?—I do not know. It was dusk.

1944. Did Mr. Roberts come out?—Mr. Roberts came out.

1945. What became of Mr. Harvey?—Mr. Harvey said to Mr. Roberts, "Hold your own, old Sammy, and be early at the poll."

1946. What became of Roberts after that?—I tapped Roberts on the shoulder.

1947. You tapped him on the shoulder?—Yes.

1948. Did you say something to him. Do not tell me what it was?—Yes, I said ——

1949. Do not tell us what it was; we are not entitled to ask what you said, and I will not do so; did he answer you?—Yes.

1950. Then I suppose you separated?—No, Sir; I said ——

1951. Never mind what you said. I suppose you went home some time in the evening, and he went away too?—We went home directly.

1952. Next day did you see Mr. Harvy?—Yes.

1953. Where was that?—In my Row.

1954. Did you say anything to him about what you had seen or heard the night before?—Yes.

1955. What?—He said he had no interest in the election.

1956. But first of all what did you say to him?—I said, I had a vote to sell, and would he buy it.

1957. What did he say to that?—He said, if I had, he could take me somewhere.

1958. Was it then that he said, that he had no interest in the election?—Yes.

1959. What did you say to that?—I told him I saw him buy one last night, and I thought he would buy mine.

1960. What did he say to that?—He said, had not I got a bottle in the house; he said he would treat us, and I told him, no I had not.

1961. Did he say anything else?—He said he should not mind stopping the afternoon with us, he would not trouble about going to the nomination.

1962. Did he make any other proposal?—He said if we would hold our own, and take off those blue ribbons, he would go and buy each of us a new bonnet, a different color to that.

1963. Did he tell you when he was so kind as to offer you a new bonnet, what you were to do for that new bonnet?—He did not say anything as to that at all.

1964. He did not say anything about that?—No.

1965. But when you said you heard him buy a vote last night, what did he say?—He said he had no interest in the election.

1966. You have told us that; you then say you followed it up by telling him that you had heard him buy a vote the night before; what did he say to that?—He said, "Oh! pooh, pooh; females are not allowed in Parliament. It is no use your thinking about doing anything with it."

1967. However, you did not accept the treating or the bonnets, I understand?—No; only 1*s.* 2*d.* each, which he threw upon the table, and told us to get something to drink, and that he should see us again.

1968. I presume you took the fourteenpence?—Our children took it; we did not take it.

1969. You did not see him again, did you?—Only o the hustings.

1970. Did you go to look on at the election, then?—Yes.

1971. When was it that you saw him on the husting?—The same afternoon.

1972. What was he doing there?—Hearing the nomnation.

1973. Was he decorated in any way, with ribbands o anything of that sort?—No, not that I know o

Cross-examined by Mr. *Clerk*.

1974. I have only one question to ask you, just to ome to one part of your story; I will not take yo through the whole of it. You say that when Hrvey first spoke to Roberts in the street, he went and then talked to some gentlemen on the Qua?—He went and talked to some gentlemen.

1975. And then, having spoken to these gentlemen o the Quay, he twirled his stick?—And told Robrts to come on.

1976. How near were you to Harvey?—As close to him as I am to you.

1977. And to Roberts?—He was walking to and fro in front of us, and he was as close to me as I am to you.

1978. Harvey then went down to the Quay?—Harvey went down to the Quay.

1979. According to your story, Harvey was at the Quay, talking to those gentlemen, was he not?—He was at the corner of Regent-street.

1980. And you were keeping close to Roberts all this time?—Yes.

1981. And yet you wish the Committee to believe that when Harvey left those gentlemen on the Quay you could hear what Harvey said?—He passed us, and said this to Roberts first of all.

[The Witness withdrew.

Mrs. *S. Stringer.*

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The *Chairman* asked Mr. Sargood if he proposed to call Roberts himself.

Mr. *Sargood* stated that he did not intend to do so.

Mr. Charles Ablett was called in; and, having been sworn, was Examined by Mr. *Sargood*, as follows:

1982. You are an inhabitant of Great Yarmouth, I believe?—I am now.

1983. And a voter there?—I was a voter at the last lection, but not now.

1984. How long have you resided in that neighborhood, in Great Yarmouth?—About six years.

1985. What is your occupation?—At the present me I am a wine merchant and hotelkeeper.

1986. What were you at the time of the election at Great Yarmouth?—I was living independent.

1987. Not in business?—Not in business.

1988. You remember the event of the election, of course?—Certainly.

1989. You remember who the candidates were who were elected?—Yes.

1990. What were their names?—Sir Edmund Lacon and Mr. Goodson.

1991. Can you tell me whereabouts in Yarmouth their committee-room was?—No; I know there was committee-room, or at least supposed that there was, close to the Quay; but whether it was really their committee-room, or not, I cannot say.

1992. You never went to investigate it?—I never went to investigate it.

1993. Did you see the house?—Of course; I see the house every day.

1994. Was there anything about it that would look like a committee-room?—No; it was a private house.

1995. Generally, at election times private houses are rather disfigured?—This probably may have been their committee-room, but it was no interest of mine, so I did not take any particular notice of it.

1996. Your memory is not strong enough to tell me whether the house was placarded, either for one candidate or the other?—I saw it was placarded.

1997. For whom?—I really cannot tell, but I should think it was placarded for Sir Edmund Lacon and Mr. Goodson; I merely suppose so.

1998. Have you any impression on the subject, whether you saw some bills with people's names on them stuck on the house?—I might have done so, but I did not see them particularly, so I did not notice it.

1999. Did you ever go inside that house?—Not to my knowledge.

2000. You might have done so without your knowledge, if that is what you mean?—I think, upon one occasion, I did go in, but I will not swear that I did, and I will not swear that I did not; if I did, I am perfectly certain I did not go there for electioneering purposes.

2001. If you were in that state, as I presume you were, to know what you were about, you did not do it without knowledge; I should like to know whether you went into the house; I should suppose you would know that?—I suppose I ought to, and I think that upon one occasion I did go into it.

2002. Tell me what you went into it for?—I believe for curiosity more than anything else.

2003. What was your curiosity?—I do not know why I went. I might have gone. I will not say I did.

2004. You do not say you did, but you think you did?—Yes, exactly.

2005. I am inclined to think that too. Do you mean to say you do not know why you went in?—I do not know.

2006. You are not in the habit of walking into any man's house that you feel a curiosity about, are you?—I am occasionally.

2007. You do that occasionally?—Yes.

2008. Who did the house belong to; was it to an inhabitant of Yarmouth?—Yes; I know the gentleman who lived there previously.

2009. You believe nobody was living there at this time?—I do not know whether it was empty or not, I cannot say; it may have been empty for what I know.

2010. You do not know whether it was an empty house?—I cannot say.

2011. Who was the gentleman who lived there previously?—Mr. Tolver.

2012. As

Mr. *C. Ablett.*

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2012. As you were so curious about this house, do you not know that, after Mr. Tolver left it, it was an empty house?—I do not know.

2013. When you went into it, did you suppose it was the committee-room?—I went into the house: as I said before, I thought it was a committee-room, and therefore I went in; but I am not certain I did go in; you quite understand that.

2014. You were, however, curious upon the subject?—Yes.

2015. Whom did you see there?—That I cannot tell. I swear positively I cannot tell.

2016. How many people did you see there?—That I cannot tell.

2017. Are you really serious?—I am indeed serious.

2018. Did you see as many as five persons there?—That I really cannot tell you. It is no use asking the question, because I cannot tell you.

2019. Did you see as many as two?—I cannot tell you.

2020. Did you see one?—I cannot tell you. I really do not know anything at all about it.

2021. Then your curiosity was not to see the inside, on account of the people?—No; I do not suppose it was.

2022. Did you see any pictures there?—No.

2023. Any tables?—I suppose so; it would be very strange if there was a house without a table.

2024. I am not asking you about what is strange. Did you see a table there?—I might have seen a table.

2025. Do you think you did?—I do not know.

2026. Do you believe you did?—I will not swear that I did.

2027. Do you think you saw a chair?—I will not swear that I did.

2028. Will you swear that you did not?—I will not.

2029. Did you see any chairs and tables there?—I think that I did not.

2030. Were they empty rooms, to the best of your recollection?—I really do not recollect anything about it.

2031. How long ago is this?—I do not know; I suppose two or three months. I think it is three or four months.

2032. It might be six months?—It might be six months.

2033. Do you mean to tell me, that your curiosity prompting you to go in, you cannot remember whether the people were few or many, or whether there were chairs or tables in the room?—I do not remember.

2034. Were any placards stuck about on the doors, and inside?—Not to my recollection.

2035. How many flights of stair did your curiosity take you up?—Not one.

2036. You only went to the ground-floor?—I only went to the passage.

2037. Was there anybody there?—There might be some people inside; there were people standing about outside. I was simply standing about, as people generally do at those times; that is all that I know about it. I had no object in what I was doing at the time, more than to stand about and look about.

2038. And you are prepared to swear that you did not speak to, or see, any person within the walls of that house?—I will swear that I did not speak to one.

2039. Or see any?—You heard what I said just now, that I might have seen any one, or I might not.

2040. I could have told you that?—That is all I can tell you.

2041. What was the nature of the curiosity that prompted you to go in?—I cannot tell that; there were many people standing about, and I stood about; I might have walked in. I will not even swear that I did that, but I believe I did.

2042. You believe you did?—Yes.

2043. Did you go there more than once?—No.

2044. Did you see anybody going in or coming out that you knew?—Not that I can recollect.

2045. Is yours a bad memory or a good one?—I do not think it is either the one or the other; I think it is a convenient one sometimes.

2046. Do you mean to swear that you saw nobody that you knew?—I will swear, to the best of my belief, that I did not see any one that I knew.

2047. Did you take any interest in the election?—None beyond having what I may term a little excitement in the town, or some of that kind of thing.

2048. Which way were you excited?—I was naturally a little excited for the candidates I supported.

2049. Who were they?—I voted, as I told you before, for Lacon and Goodson.

2050. As you were so excited?—I did not say I was particularly excited.

2051. Neither did I say you were "particularly excited." Do you mean to say, with all this excitement and interest, you went into the committee-room?—I did not say I went in at all, pardon me; I looked in. I did not say I went in; I was standing about there, but I was standing about there with no particular interest.

2052. Only curiosity. Now, can you tell me anyone who was interested in the election who you talked with?—No.

2053. Perhaps you did not talk to anybody?—We do not live without talking to people.

2054. Do you know Mr. Cooper; John Cooper, the printer?—I know him very well indeed; he has done my printing a good many years.

2055. Did you have any conversation with him about this election?—None.

2056. Do you mean to say you did not on any occasion?—I do not think I did.

2057. Are you sure you did not?—I am quite sure I did not have any conversation with anybody.

2058. Do you mean to say that you are sure that you had no conversation with Cooper?—I do not believe I had any, only that we might have chatted together, as we very often do; I will not swear that I did not speak to the man, of course not.

2059. I am asking you to swear that you did?—I will swear, with a great deal of pleasure, that I have spoken to him.

2060. We do not want to know anything about your pleasure; is it the fact that you did talk to Cooper about the election?—I cannot say.

2061. Are you sure of it?—We might have chatted about it; it did not interest me much. I was not even living in the town.

2062. How

2062. How far off were you living?—Twelve miles.

2063. How frequently were you in town in the week of the election?—I cannot answer that question exactly, but I am generally going into Yarmouth from Beccles two or three times a week.

2064. Sometimes oftener, I suppose?—Sometimes I have stayed a week in Yarmouth.

2065. Whereabouts is it that you say that you live when you are 12 miles off?—At Beccles.

2066. Is that your residence?—It was then, but it is not now.

2067. Had you any residence previous to that at Yarmouth?—Previous to that I resided in Yarmouth, of course, or I should not have had a vote.

2068. Had you a vote at this time?—I had a vote, as I told you; I voted for the two successful candidates, Messrs. Lacon and Goodson.

2069. Had you a vote at this time, though you were not living in Yarmouth?—I was on the register.

2070. Did you sleep at your place of residence at Beccles for the fortnight previous to the election, or might you have slept in Yarmouth?—I might have slept in Yarmouth; I used to sleep there very often. I believe I might have slept in Yarmouth three nights a week during the time I was resident in Beccles.

2071. What place did you occupy on those occasions?—I always slept with a cousin of mine named John Boron, who lived on the Quay.

2072. That is the only place you slept in, is it?—That is the only place I slept in, I firmly believe.

2073. Now we will go to another subject. Do you know Mr. Eagleton?—Personally I do not know him.

2074. What do you mean by "personally"?—I never spoke to him in my life.

2075. Do you know him by sight?—I do not even know him by sight.

2076. Have you ever heard of such a man?—Yes, many times.

2077. You are not sure that you even know Eagleton by sight?—No; I think I may safely swear that I do not know him.

2078. Do you know Hulley?—William Hulley the bandmaster; very well.

2079. Had you any conversation with him about the election?—None.

2080. You never spoke to him about it?—I do not know that I did; I know him very well, but I cannot swear that we did not mention the election. I do not remember that we did; we might have done so; I do not say that we did not.

2081. Your impression is, that you did not?—My impression is, that we did not.

2082. Do you know Mr. Palmer?—I know a great many people of that name; Charles John Palmer, do you mean?

2083. No; W. Palmer. Had you any conversation with him about the election?—There are so many Palmers; if you will tell me who is this particular one, I shall know.

2084. William Palmer, who is a shoemaker, residing at Great Yarmouth?—A shoemaker; well, I know a William Palmer, but I was always under the impression that he was a tailor.

2085. That does not exactly answer my question?—I cannot answer it better.

2086. You tell me that you know a Mr. Palmer, a tailor; but I ask if you know a Mr. William Palmer, a shoemaker; do you not know a man of that name who is a shoemaker?—I do not know a shoemaker of the name of William Palmer.

2087. Where does the William Palmer live that you call a tailor?—In Howard-street.

2088. You do not know a William Palmer, a shoemaker?—I do not know him as a shoemaker; the William Palmer I know, I was always under the impression was a tailor, and he lives in Howard-street, Yarmouth.

2089. We will imagine he is a tailor then, if that will accommodate you; did you have any conversation about the election?—Not that I am aware of; I do not remember that I did. If this is the same man you are talking of, he used to be in my band, and as a matter of course I may have spoken to him. I will not swear that I did; I do not remember such trifling things.

2090. We will judge whether they are trifling when you have told us about him. Do you remember talking to him?—I do not remember it.

2091. Do you remember William Smith?—William Smith the bandmaster?

2092. No; the Northumberland-place man?—No.

2093. Do you remember going with William Smith to Wilshack's house?—No; that I will swear.

2094. Northumberland-place Smith; do you know him?—To my knowledge, I do not know a Smith of Northumberland-place.

2095. Do you know Watson?—George Watson, a game-dealer?

2096. He may be a game-dealer for all I know?—I know a George Watson, a game-dealer.

2097. Had you any conversation with him about the election?—Not beyond what I told told you before. I know him, and I frequently meet him, and we might have mentioned it, but I do not know that we did.

2098. Did you ever give Smith any money before the election?—No.

2099. Did you ever receive any money from Watson for the purpose of giving it to Smith?—No.

2100. Did you ever tell anybody that you had received money from Watson?——

The *Chairman* stated that the Mr. Smith referred to should be defined, there having been more than one Smith mentioned.

2101. Mr. *Sargood.*] I refer to Smith of Northumberland-place. (To the *Witness.*) Did you ever tell any one that you had received money from Watson to give it to Smith of Northumberland-place?—Not that I know of.

2102. Do not talk nonsense. I ask you whether you have ever told anybody that you had so received money from Watson, and paid it to Smith?—If I did say such a thing, I was not upon my oath; and now that I am, I swear upon my oath that Watson never gave me any money to give to Smith.

2103. I am asking you whether you said it, not whether you are upon your oath?—I do not think that I did say that; I do not believe I did say such a thing.

2104. What is that you think you did not say?—I do not think I said what you asked me.

2105. Tell me what I asked you; I want to know

Mr. *C. Ablett.*

21 March 1866.

know if it is in your mind sufficiently?—It is not in my mind exactly.

2106. Then I will put it to you again. Did you this morning tell any person that you had received money from Watson to give to Smith of Northumberland-place, and that you had given the money to Smith?—I did not.

2107. Or anything approaching to that?—No, nothing approaching to that.

2108. Did you talk to anyone this morning about Watson or Smith?—No, I did not.

2109. You draw a distinction between having been sworn and not having been sworn; you know you have been sworn now?—I know I have, and I am speaking the truth when I tell you that I never received any money from Watson.

2110. I did not ask whether you have received money from Watson, but whether this morning you told a gentleman that you had received money from Watson, even though it was not true?—I did not say so.

2111. Did you say you had received money from anybody?—No.

2112. Did you say you had received any money at all, without saying from whom?—No.

2113. Did you say that you had paid any money to anybody?—No.

2114. Did you talk about Watson this morning to anybody?—I might have talked about Watson.

2115. Of course you might have, but did you?—If a man asked me if I know Watson, I might say, Yes, without saying I had received any money from him; I was asked a question about Watson this morning.

2116. Do you know who asked you that question?—No.

2117. Look round the room, and see if you can tell who it was?—No; I do not see the person who asked me.

2118. You are looking at me; I did not ask you, of course; look round the room; do you see him?—No, I do not.

2119. Did that gentleman (*pointing to* Mr. *Wyatt*) ask you about Watson?—Yes; but I did not give him the information he wanted me to give him.

2120. Did you tell him that you knew Watson?—He asked me if I knew Watson, and I told him I did.

2121. Do you believe that that was all that passed?—I do believe that was all that passed between us.

2122. You do not think that Smith of Northumberland-place was mentioned?—I do not think he was.

2123. Will you swear he was not mentioned?—I will not swear he was not.

2124. Did you not say something about Smith of Northumberland-place?—I do not think so.

2125. Will you swear that you did not?—I will not swear that I did not; I do not remember that I did.

2126. *Chairman.*] We have heard from Mr. Wyatt that there has been a good deal of chaff going on outside; perhaps that is what you refer to?—Exactly.

2127. Mr. *Sargood.*] Did you speak of Smith of Northumberland-place?—No, I do not remember that I did.

2128. Did he not ask you whether you had had a transaction about Smith?—No; if he asked me that question, I said I had not, at all events.

2129. First of all you told me that you had no conversation about Smith?—I beg to say that I did not; I said that I did not think I had. He might have mentioned Smith's name. I did not see the gentleman; I simply went, according to this paper, to report myself, and he asked me a question or two, and I answered him.

2130. Did not he ask you a question about Smith?—I believe not.

2131. Did not you say, "Which do you mean, for there are two Smiths in Northumberland-place"?—No, I did not.

2132. Pay attention to what I ask you. Do you know the Crown and Anchor in Great Yarmouth?—Very well.

2133. Did you say anything to Mr. Wyatt this morning about the Crown and Anchor?—I do not believe I did.

2134. Do you mean to say you do not know?—I do mean to say so. I was not with him five minutes. I went to report myself, and he asked me some questions.

2135. Was anything said about the Crown and Anchor?—I do not think there was.

2136. Will you swear there was not?—I will not swear, because I am not sure about it. I was not with him five minutes, and he asked two or three questions, which I did not answer.

2137. Was anything said about the Crown and Anchor?—I do not think there was.

2138. Do you mean, on your oath, to say there was not?—I will not. He asked me two or three questions.

2139. Do you mean to swear that you have forgotten the conversation this morning?—Yes, I have, in a certain sense; I remember one or two things I was told.

2140. What do you mean by "in a certain sense"?—I do not remember exactly what passed.

2141. Did you not tell Mr. Wyatt that there were meetings at the Crown and Anchor?—Mr. Wyatt asked me, amongst two or three questions, whether I had been to the Crown and Anchor.

2142. You see that was mentioned?—I said so before.

Mr. *Clerk* objected to the mode of treatment of this witness on the part of his own counsel.

The *Chairman* stated that the examination was tending towards irregularity.

Mr. *Sargood* stated that he was afraid he should have to treat the witness as an adverse witness.

2143. Mr. *Sargood* (to the *Witness*).] Did you not distinctly tell Mr. Wyatt that there were meetings at the Crown and Anchor, at which Mr. Cooper was present?—No; I will swear I did not.

2144. Did you tell him that Watson was there?—I do not believe I did.

2145. Did you, or did you not?—I really do not remember it; I was in a hurry at the time; I was not there five minutes.

2146. Was it true that Watson attended meetings at the Crown and Anchor?—The Crown and Anchor is a public hotel; it is a place where we are all in the habit of going; we go there almost every day to have a glass of ale.

2147. Was Watson in the habit of attending meetings there?—What meetings do you mean?

2148. Does

2148. Does Watson go there?—Watson is a frequenter of the Crown and Anchor.

2149. Were there any meetings held there during the election?—Not that I know of.

2150. You were never there, perhaps, at any?—No, I was not.

2151. Did you not tell Mr. Wyatt this morning, distinctly, that there were election meetings held there, and that Watson attended them?—I did not.

2152. You did not tell him that Watson gave you money for the purpose of handing it to anybody?—That I did not.

2153. Did Watson give you any money?—He did not.

2154. Did you say anything to Wyatt about Mr. Hulley?—I never mentioned his name to him.

2155. Did he mention his name to you?—I do not believe he did.

2156. Will you swear he did not?—Yes; I think I may safely do so; I do not believe he did. Mr. *C. Ablett.* 21 March 1866.

2157. Did you not say to Mr. Wyatt, "You must rely upon Hulley's case, for there are two Smiths in Northumberland-place"?—I did not.

2158. You did not?—Certainly not.

Cross-examined by Mr. *O'Malley.*

2159. I suppose Mr. Wyatt came up to you and tried to pump you, did not he?—When I received this paper (*the Speaker's Warrant*), I went to Mr. Wyatt to report myself there at 11, and then Mr. Wyatt asked me the questions which I have answered to Mr. Sargood.

[The Witness withdrew.

Mr. George Farrow was called in; and, having been sworn, was Examined, as follows:

Mr. *O'Malley* stated that he had reason to believe that this witness had been in the room during the proceedings, and submitted that he was entitled to examine him on that subject.

2160. Mr. *O'Malley* (to the *Witness*).] Have you not been in the room while the other witnesses have been examined?—I came into the room to deliver a note and went out the next instant. I have not been in the room an instant, because I knew, or at least I imagined, that I had no right to be there.

2161. Mr. *Cherry.*] Were you not in the room yesterday?—Never. I have been outside all the while, to prevent witnesses from coming in.

2162. Were you not in the room yourself yesterday?—No.

2163. Do you mean to say you were not in the room and seen standing here, by several people?—No.

Mr. *O'Malley* objected to this person being examined as a witness,

The *Chairman* inquired, what would be the nature of the evidence given by this witness?

Mr. *Sargood* stated, that it would have reference to the attempt which had been made to serve the Speaker's Warrant on Cooper.

The *Chairman* stated that the Committee would hear the evidence of this witness.

2164. Mr. *Mellor.*] What are you?—By business a Tailor.

2165. Did you attempt to serve John Cooper with a Speaker's Warrant?—I did.

2166. Were you able to serve him?—No.

2167. When did you try to serve him?—I tried to serve it on Cooper on Tuesday the 15th, at half-past four in the afternoon.

2168. Where did you attempt to serve it?—At his place of business.

2169. Was he there?—He was not.

2170. *Chairman.*] That was a week ago yesterday?—Yes.

2171. Mr. *Mellor.*] You were not successful in serving him?—I was not.

2172. Did you ask where he was; did you ask for his address?—

Mr. *O'Malley* objected to the question. Mr. *G. Farrow.*

Mr. *Mellor* submitted that he was entitled to ask whether the witness inquired for Cooper's place of business?

The *Chairman* overruled the objection.

2173. Mr. *Mellor* (to the *Witness*).] Did you ask for his address?—I did.

2174. Was it given to you?—No.

2175. Did they refuse to give you his address?—His son told me he did not know where he was.

2176. I believe you have been outside the room, keeping the door?—I have, to prevent witnesses coming in.

[The Witness withdrew.

Mr. *O'Malley* stated, that he understood this was the conclusion of the case on behalf of the petitioners.

Mr. *Mellor* stated that was not so, but that owing to the Committee having stated in the morning their intention of sitting later than usual this evening, he was not prepared to call two witnesses whose evidence was necessary to the case, namely Hutchins and Eagleton, but trusted, if the Committee would adjourn till to-morrow morning, to be able to produce them.

The *Chairman* stated that he was expressing the opinion of the other Members of the Committee, as well as himself, when he stated that the examinations during the last two hours had been protracted beyond what was actually necessary for the purposes of the case.

The *Chairman* asked Mr. Sargood, if he would pledge himself to produce the witnesses in the morning?

Mr. *Sargood* stated that, although he was very desirous of sparing the time of the Committee, yet he was relying solely upon the instructions of the agent.

The *Chairman* asked Mr. Wyatt, if he would pledge himself to the production of the witnesses to morrow?

Mr. *Wyatt* replied, that he was only acting under the instructions of the solicitor.

Mr *G. Farrow.*

21 March 1866.

The *Chairman* then asked Mr. Costerton, if he would guarantee the production of the witnesses in the morning?

Mr. *Costerton* stated, that every effort would be made to produce them.

After a short adjournment—

Mr. *Sargood*, stated that he had been informed by a telegram that Hutchins had been seen in London.

Mr. *O'Malley* objected to an adjournment, and submitted that the Petitioners should proceed with the summing up of their case.

The *Chairman* stated, that the Committee would accede to the application for an adjournment in order to bring forward these two witnesses, but that they would hear no further evidence on the Petitioners' case after they had been examined.

[Adjourned to to-morrow at Eleven o'clock.

Thursday, 22d March 1866

THE RIGHT HONOURABLE JOHN ROBERT MOWBRAY, IN THE CHAIR.

The Names of the Members were called over:—All present.

William Hutchins was called, but did not answer.

John Eagleton was called, but did not answer.

WILLIAM SMITH was called in; and, having been sworn, was Examined by Mr. *Mellor*, as follows:

W. Smith.

22 March 1866.

2177. WHO are you?—Clerk to Mr. Costerton.

2178. Do you know John Eagleton?—Yes.

2179. Did you serve him with a Speaker's Warrant?—I did.

2180. When or about when?—I think it was on the 26th of February.

2181. Did you notify him?—I did.

2182. When?—Yesterday.

2183. What time?—Between 11 and 12.

2184. What trains could he have come up by after that?—He could have come up by the quarter past 3 or the 20 minutes to 9.

2185. Did you see him?—I did.

2186. Where?—In his room in his house.

2187. In what room?—Down stairs.

2188. Did he say anything when you served him?—He said he should send for his doctor, and if his doctor said he might come, he should, and if the doctor said he ought not he should not do it.

2189. How did he appear to be as regards health; had he the appearance of being in good health?—Not exactly good health, but still he was not, I should say, ill.

2190. What did he say; did he say anything more to you after that?—

Mr. *O'Malley* objected to the question.

The *Chairman* sustained the objection.

2191. Mr. *Mellor.*] Did you serve a notification upon William Hutchins?—Yes, on Tuesday. I told him that I wanted him to be in attendance here on the following day.

2192. That was yesterday?—Yes.

2193. By the *Committee.*] When did you serve the writ upon him?—I did not do that; it was served by some one else.

2194. Mr. *Mellor.*] Have you seen him in London?—Not in London, I have not.

2195. Did you see him start by the train?—Yes, I saw him start by the train yesterday morning at 20 minutes past 5.

Cross-examined by Mr. *O'Malley.*

2196. Are you Mr. Costerton's clerk?—Yes.

2197. Are you the son of a witness who was called yesterday, William Smith?—I do not know what witnesses were called

2198. Are you the son of William Smith?—There was a witness of the name of Smith I believe, called.

2199. Are you the son of William Smith?—Yes.

2200. Living in Northumberland-place?—Yes.

2201. What is his trade?—A publican.

2202. A publican in Northumberland-place?—Yes.

2203. You are his son, and Mr. Costerton's clerk?—Yes.

[The Witness withdrew.

THOMAS WILLIAM DOWLING was called in; and, having been sworn, was Examined by Mr. *Mellor*, as follows:

T. W. Dowling.

2204. WHAT are you?—A Fish Merchant.

2205. Do you know William Hutchins?—Yes.

2206. Did you come up with him in the same train yesterday morning?—No.

2207. Did you see him at the station?—Yes.

2208. When was it?—About half-past 10.

2209. About half-past 10 yesterday morning?—Yes.

2210. Have you seen him since then?—I saw him

him up to 11 o'clock; he went into a house and had something to drink with me yesterday morning. He stopped with me from about half-past 10 till 11 in London, down by the Shoreditch station.

2211. Did you endeavour to bring him up here?—I got a fly ready to bring him up, and I told another party to take his rug and put it into the fly; and a man by the name of Ellis, and Hugh Johnson and George Harvey, took hold of him, one on one side, and one on the other, and said, "You must come along with us in this cab." I endeavoured to get him away; but he said, "No; I shall go with these gentlemen." I took his rug away in my fly, and called out to him, "I have got the rug"; but, howsomever, I could not get him away.

2212. Have you got his rug?—Yes; I have got his rug.

2213. Had you at the same time any other witnesses to look after?—Three or four more.

2214. I suppose you were not able to follow him?—I was not able to follow him for fear of losing the other men.

2215. Have you tried to find him since that?—Yes.

2216. In London?—Yes, in London; I tried everywhere. I went to Astley's, where I expected to find him, and where I hoped two other parties were.

2217. Did you do all you could last night to find him?—I did all I could. I told all the parties that knew him to try and find him.

2218. You have not seen him since then?—I have not seen him since then.

2219. Were those men that took him away, to your knowledge, Yarmouth men?—Yes; the whole of them.

2220. Were they Conservatives in politics?—

Mr. *O'Malley* objected to the question.

[The Witness withdrew.

T. W. Dowling.

22 March 1866.

Mr. *Sargood*, in the absence of Mr. Cripps, was heard to sum up the case on behalf of the Petitioners.

Mr. *O'Malley* stated, that he did not propose to call any evidence; and proceeded to address the Committee on behalf of the Sitting Members.

MINUTES OF EVIDENCE

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ON THE

GREAT YARMOUTH ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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I N D E X.

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Cooper, John. Particulars as to witness having first been offered 10 *l.* by Cooper to vote for Sir Edmund Lacon and Mr. Goodson, and having subsequently received 15 *l.* from him, *Bickers* 20 *et seq.*

Evidence as to witness having inserted Mr. Goodson's and Sir Henry Stracey's addresses of March 1864 in the "Yarmouth Independent," by order of Mr. Cooper, who is a printer at Yarmouth, and by approval of Mr. Preston, *Goodwin* 775–815. 841–847 ——The charge for insertion was to be sent in to Mr. Cooper, and was paid by him, *ib.* 816, 817.

Examination to the effect that witness, who is a messenger in the telegraph office at Yarmouth, saw Mr. Cooper, the printer, at the committee-rooms, and in the same room as that occupied by Mr. Reynolds, *Eastwick* 853 *et seq.*——Impression as to Mr. Cooper being from twenty to thirty years of age; witness at all events has always thought the person he saw was the printer, *ib.* 906–952——Personal description of Cooper; his age is about forty, *Goodwin* 953–966.

Statement as to Mr. Cooper having told witness he should have 15 *l.* for his vote if there were a contest, and 10 *l.* if there were no contest, *J. Smith* 967–994.

Particulars connected with an offer of 8 *l.* made to witness by Mr. Cooper, in return for his vote, *Sillis* 1032–1056.

Circumstance of Blyth having said that Cooper was the best electioneering agent in the town, and would be sure to win the election if the "stuff" were found for him, *Grymes* 1628.

Interview between Mr. Cooper and a man named Harvey; subsequent payment of some money by the latter to one Roberts, a voter, *Mrs. Eliza Smith* 1834 *et seq.*; *Mrs. Stringer* 1913 *et seq.*

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Corrupt Practices. Resolution of the Committee as to corrupt practices having extensively prevailed at the election, *Rep.* iv.——*See* also *Bribery.*

E.

Eagleton, John. Statement as to witness having seen Mr. John Eagleton in one of the committee-rooms, *Pettingill* 256–259. 306–334. 355–359.

Particulars as to witness having been frequently canvassed by Eagleton, who said he might have 10 *l.* for his vote, *Etheridge* 409–429.

Evidence as to Eagleton having left 12 *l.* at witness's house, for which witness was to vote for Lacon and Goodson; return of this money by witness, *J. Jones* 586 *et seq.*

Circumstance of Eagleton having given witness 10 *l.* out of his own pocket, witness having voted for the Conservative candidates, *Morter* 671–700.

Belief that Mr. Eagleton directed the envelopes containing letters applying to witness for his vote, *Hunt* 750–771.

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Ellis, James. Examination in denial of witness having received any money from Mr. Ellis for voting for Lacon and Goodson, *Palmer* 1758 *et seq.*

Etheridge, Robert. Witness was canvassed by Mr. John Eagleton, on behalf of Sir Edmund Lacon and Mr. Goodson, but expressed his unwillingness to vote save on the Liberal side; offer by Eagleton of 10 *l.* for witness's vote, *Etheridge* 409–429——Circumstance of witness having in the year 1863 promised his vote to Eagleton, who was then a Liberal, *ib.* 418. 516–531. 559–561——Details as to witness having eventually received 15 *l.* from a stranger, in return for which he voted on the Conservative side; pressure of circumstances under which he took this money, very reluctantly, *ib.* 430 *et seq.*

Conclusion of the Committee as to this case of bribery having been proved, *Rep.* iii.

F.

Foulsham, Joseph. Statement as to witness having obtained through Joseph Foulsham 15 *l.* 10 *s.* for voting for the Liberal candidates, *J. Jones* 637–668.

Evidence, 1866—*continued.*

G.

Goodson, James, M.P. Conclusion of the Committee that Mr. Goodson is duly elected, *Rep.* iii.——Also that none of the acts of bribery proved in evidence were committed with the knowledge, authority, or consent of Mr. Goodson, or of his agents, *ib.* iv.

Grymes, James. Circumstance of George Watson having on several occasions said he could guarantee witness 10 *l.* if he would vote for Lacon and Goodson, *Grymes* 1596–1609——Statement as to William Blyth having on one occasion offered witness 10 *l.* for his vote, and having subsequently offered him 15 *l.*, *ib.* 1610-1622——Witness eventually voted for Brogden and Vanderbyl, and admits having received 20 *l.* for doing so, but does not know the person who gave it to him, *ib.* 1658–1677.

Resolution of the Committee as to the bribery of this witness, *Rep.* iv.

H.

Harvey, Mr. Evidence as to Mr. Harvey and Mr. Cooper having been together one evening before the election, and as to a man named Roberts having subsequently gone to Harvey's house; conclusion as to Roberts having received money from Harvey on this occasion, *Mrs. Eliza Smith* 1834 *et seq.*; *Mrs. Stringer* 1913 *et seq.*

Hulley, William. Witness, who is a musician at Great Yarmouth, voted for Lacon and Goodson, *Hulley* 1099–1101——He received some money from Mr. Charles Ablett a few months before the election in respect of professional matters, but denies having had anything from him on account of his vote, *ib.* 1102 *et seq.*

Hunt, Charles George. Witness resides in London, but has a vote for Yarmouth, *Hunt* 701–704——Receipt by witness of two letters from a person named Hutchins, applying for his vote, *ib.* 705–722——Witness was subsequently at Yarmouth, and voted on the Liberal side; he did not see either Mr. Hutchins or Mr. Eagleton whilst there, *ib.* 723–749——Belief that the direction on the envelopes, containing the letters from Hutchins, was in the writing of Mr. Eagleton, *ib.* 750–771.

Hutchins, William. Statement as to a Speaker's warrant having been served on Hutchins, and as to its having been duly notified to him that his attendance before the Committee was required, *W. Smith* 2191–2195.

Witness saw Hutchins in London recently (that is, yesterday, 21st March), and has done all in his power to bring him before the Committee, but has not been successful, *Dowling* 2204–2220.

J.

Jones, John. Statement as to a small parcel having been left at witness's house on the day before the election, and as to witness's husband having subsequently shown her 12 *l.*, which it contained, *Emma Jones* 562–585.

Circumstances connected with an application by Mr. John Eagleton to witness on the day before the election, to vote for the Conservative candidates, Eagleton leaving 12 *l.* with witness for the purpose, *John Jones* 586-608. 627, 628——Return subsequently of this money to Eagleton, witness having voted for Brogden and Vanderbyl, *ib.* 609–620——Examination showing that before returning the 12 *l.* to Eagleton, witness obtained 15 *l.* 10 *s.*, through a person named Foulsham, in respect of his supporting the Liberal candidates, *ib.* 629 *et seq.*

Resolution of the Committee as to the bribery of this witness, *Rep.* iii.

L.

Lacon, Sir Edmund Henry Knowles, Bart., M.P. Resolution of the Committee that Sir Edmund Lacon is duly elected, *Rep.* iii.——Also that none of the acts of bribery proved to have been committed took place with the knowledge, authority, or consent of Sir Edmund Lacon, or of his agents, *ib.* iv.

M.

Morter, Edward. Witness voted for the Conservative candidates, in accordance with his political principles; he was asked to do so by Mr. Eagleton, who gave him 10 *l.* out of his own pocket, but witness did not look upon this as a bribe, and would have voted in the same way without any money, *Morter* 671-700.

Conclusion of the Committee as to this case of bribery having been proved, *Rep.* iii.

Evidence, 1866—*continued.*

N.

, *Robert.* Examination to the effect that witness received 15 *l.* from William Blyth vote for Lacon and Goodson, and also received a further sum of 15 *l.* from some nger, having eventually voted for Brogden and Vanderbyl, *Nobbs* 1550–1595.

Resolution of the Committee in regard to the double bribery of this witness, *Rep.* iv.

P.

r, William. Witness voted for Lacon and Goodson, but never received any money his vote, either from Mr. James Ellis, or anyone else, *Palmer* 1740–1747. 1827–1833 —Statement as to witness having seen Mr. Ellis since his arrival in London, and ing lodged in the same house with him, *ib.* 1778–1826.

gill, Alfred. Witness is an auctioneer at Great Yarmouth, *Pettingill* 162——Was vassed by Sir Edmund Lacon about three weeks before the election, but refused to mise his vote to him, *ib.* 163–172——Was subsequently asked by Mr. Reynolds to port the Conservative candidates, and was afterwards given employment as a clerk at committee-rooms of Lacon and Goodson, *ib.* 173–213——Was employed four days the borough election, and one day at the county election, for which he was paid gether about 5 *l.*, *ib.* 214–226. 293–295. 344–354. 373–376——Voted for Lacon and odson; never received any bribe for doing so, *ib.* 227, 228. 288–292. 344–347.

Particulars relative to the rooms, three in number, which witness understood were mmittee-rooms, *Pettingill* 229–242——Examination as to the several persons seen by ness going in and out of the committee-rooms, *ib.* 244 *et seq.*——Question as to there ving been free admission to the room; impression that there was a doorkeeper ployed, *ib.* 244–251. 299–301. 364–370——Circumstances under which witness saw . John Eagleton in Mr. Stirling Lacon's room, *ib.* 256–259. 306–334. 355–359. 371, 2——Understanding as to the several persons who went in and out of the rooms ving been there on the ordinary business of the election, *ib.* 296–305. 335–340. 2, 363.

R.

rts,——. Evidence in support of the conclusion that Roberts received some money from man named Harvey at the time of the last election, *Mrs. Eliza Smith* 1834 *et seq.*; *rs. Stringer* 1913 *et seq.*

S.

, *Isaac.* Examination to the effect that witness was offered 8 *l.* by Mr. Cooper, the nter, to vote for the Conservative candidates, but he ultimately voted for the Liberals, which he received 15 *l.* from some stranger, *Sillis* 1032 *et seq.*

Resolution of the Committee as to the bribery of this witness, *Rep.* iii.

h, James (Plumber.) Witness received 12 *l.* before the election from Mr. Wilshack vote for Lacon and Goodson, and after the election received a further sum of 3 *l.* from ilshack, *J. Smith* 1375–1420——Since his arrival in London, witness has had no mmunication with Wilshack, *ib.* 1424, 1425.

Resolution of the Committee, that the bribery of James Smith has been duly proved, *p.* iii.

h, James (Tailor.) Statement as to Mr. Cooper, the printer, having told witness that should have 15 *l.* for his vote, nothing having, however, eventually come of this offer, *Smith* 967–994——Witness ultimately voted for the Liberal candidates, having eviously received 10 *l.* from some one who was a stranger to him, *ib.* 995–1003. 1025– 29——Circumstances connected with witness's coming to London as a witness; he has ceived 2 *l.* for his expenses, *ib.* 1004–1024. 1030, 1031.

Conclusion of the Committee as to this case of bribery having been proved, *Rep.* iii.

h, William. Witness is a cordwainer and beer-house keeper at Great Yarmouth, and ted for Goodson and Lacon, *W. Smith* 1157–1165——Examination as to the circum nces under which witness received 15 *l.* from Mr. Wilshack some time before the ction; he had frequently seen Wilshack about this period, and had spoken to him out the election, but denies that when the 15 *l.* was given there was any compact about vote, *ib.* 1166 *et seq.*

Evidence, 1866—*continued.*

Smith, William—continued.

Statement as to witness having sent one Edmund Clarke to Wilshack's, and as to Wilshack having subsequently given witness 10 *s.* left for him by Clarke, *W. Smith* 1293–1332——Details on the subject of witness having gone with one James Smith to Wilshack's; he does not remember that Smith and Wilshack went into a room by themselves on this occasion, *ib.* 1333–1374.

Smith told witness that he was engaged by the Tories, and witness implied that he was an agent, *Clarke* 1440–1445.

Denial by witness that he received any money from George Watson to give to Smith, or that he ever told Mr. Wyatt, the agent, that he had done so, *Ablett* 2091–2131. 2152–2159.

Conclusion of the Committee that the bribery of William Smith has been duly proved, *Rep.* iii.

Stanley, John. Witness was canvassed by Sir Edmund Lacon and Mr. Goodson, but voted for Brogden and Vanderbyl; he denies having received any money from a person named Johnson, on the part of Lacon and Goodson, or having ever said that Johnson gave him any money, *Stanley* 1678–1739.

W.

Wilshack, Mr. (Publican.) Details as to witness, who voted for Goodson and Lacon, having received 15 *l.* from Wilshack, *W. Smith* 1166 *et seq.*——Statement as to witness having sent, or gone with, some other voters to Wilshack's house, *ib.* 1293 *et seq.*

Witness was taken to Wilshack's house by William Smith, and received altogether 18 *l.* from Wilshack for voting for the Conservative candidates, *J. Smith* 1375–1420.

Circumstances under which witness received 15 *l.* from Wilshack, out of which 10 *s.* was given to William Smith, who took him to Wilshack's house, *Clarke* 1446 *et seq.*

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TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

GREAT YARMOUTH ELECTION PETITION.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
23 *March* 1866.

140—I.

Under 2 oz.

SPECIAL

REPORT

FROM THE

SELECT COMMITTEE

ON THE

CONTAGIOUS DISEASES BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed.*
20 *April* 1866.

200.

Thursday, 22*d March* 1866.

Ordered, That the Contagious Diseases Bill be referred to a Select Committee.

Monday, 9*th April* 1866.

Ordered, That the Select Committee on the Contagious Diseases Bill do consist of Seventeen Members.

Committee nominated of,—

Lord Clarence Paget.	Sir Morton Peto.
Sir John Pakington.	Mr. Ayrton.
Mr. Walpole.	Mr. Kinnaird.
Mr. Hunt.	Mr. Locke.
Lord Hotham.	Marquis of Hartington.
Sir James Fergusson.	Sir George Grey.
General Peel.	Colonel Herbert.
Sir Harry Verney.	Mr. Morley.
Admiral Erskine.	

Ordered, That Five be the Quorum of the Committee.

Friday, 13*th April* 1866.

Ordered, That Lord *Hotham* be discharged from further attendance on the Committee.

Ordered, That Sir *Charles Russell* be added to the Committee.

Friday, 20*th April* 1866.

Ordered, That leave be given to the Committee to make a Special Report.

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SPECIAL REPORT.

THE SELECT COMMITTEE to whom the CONTAGIOUS DISEASES BILL was referred;——HAVE agreed to the following SPECIAL REPORT:—

YOUR Committee have reason to believe, from information furnished to them from Government Departments, that much good has resulted from the efforts of an Association formed at Devonport for the purpose of reclaiming persons placed in the Royal Albert Hospital of that town, towards which some pecuniary assistance has been afforded by the Admiralty.

Your Committee recommend that Her Majesty's Government should take into their consideration the desirability of affording aid to similar associations, for the purpose of promoting the reformation of patients detained under the provisions of this Bill.

REPORT.

THE SELECT COMMITTEE to whom the CONTAGIOUS DISEASES BILL was referred, have gone through the Bill, and made Amendments thereunto.

PROCEEDINGS OF THE COMMITTEE.

Thursday, 12*th April* 1866.

MEMBERS PRESENT:

Admiral Erskine.	Sir Harry Verney.
Mr. Hunt.	Sir James Fergusson.
Lord Clarence Paget.	Sir John Pakington.
Sir George Grey.	

Lord CLARENCE PAGET was called to the Chair.

The Committee deliberated.

[Adjourned to Monday next, at Twelve o'clock.

Monday, 16*th April* 1866.

MEMBERS PRESENT:

Lord CLARENCE PAGET, in the Chair.

Sir Charles Russell.	Sir John Pakington.
Mr. Walpole.	Marquis of Hartington.
Admiral Erskine.	Sir James Fergusson.
Mr. Hunt.	General Peel.
Sir George Grey.	Mr. Kinnaird.
Sir H. Verney.	Mr. Ayrton.
Colonel Herbert.	

The Committee proceeded with the consideration of the Bill.

Preamble *postponed.*

Clauses 1 to 12, inclusive, *postponed.*

Remaining Clauses considered, and *adjourned.*

MS. Clause brought up and read a first time, as follows:—"If on any woman leaving a certified hospital a notice in writing is given to her by the chief medical officer of the hospital to the effect that she is still affected with a contagious disease, and she is afterwards in any place for the purpose of prostitution, without having previously received a certificate in writing from a visiting surgeon, appointed under this Act (proof whereof shall lie on her), to the effect that she is then free from contagious disease, she shall be guilty of an offence against this Act, and, on summary conviction before two justices, shall be liable to be imprisoned with or without hard labour; in the case of a first offence, for any term not exceeding ; and in the case of a second or any subsequent offence, for any term not exceeding "—(Mr. *Hunt*).—Question put, That this Clause be read a second time.—The Committee divided:

Ayes, 6.	Noes, 5.
Mr. Ayrton.	Admiral Erskine.
Sir James Fergusson.	Sir G. Grey.
Mr. Hunt.	Marquis of Hartington.
General Peel.	Mr. Kinnaird.
Sir C. Russell.	Sir John Pakington.
Sir H. Verney.	

Clause read a second time, considered, and *postponed.*

Motion made and Question proposed, "That provision be made in the Bill to punish any person who may communicate a contagious disease to a woman in the places scheduled to the Bill"—(Mr. *Ayrton.*)

[The Committee adjourned to Wednesday next, at One o'clock.

Wednesday, 18th April 1866.

MEMBERS PRESENT:

Lord CLARENCE PAGET, in the Chair.

General Peel.	Sir H. Verney.
Sir Charles Russell.	Mr. Kinnaird.
Mr. Walpole.	Sir John Pakington.
Mr. Hunt.	Mr. Ayrton.
Admiral Erskine.	Sir Morton Peto.
Colonel Herbert.	

Question again proposed, "That provision be made in the Bill to punish any person who may communicate a contagious disease to a woman in the places scheduled to the Bill"—(Mr. *Ayrton*).—Amendment proposed, to leave out from the word "who," to the end of the question, in order to add the words, "After notice to him from a registered medical practitioner that he is affected with a contagious disease, has intercourse with a woman in any of the places to which this Act applies, without having previously received a certificate from a registered medical practitioner (proof whereof shall lie on the person accused) to the effect that he is then free from contagious disease,"—(Sir *C. Russell*)—instead thereof.—Question put, "That the words proposed to be left out stand part of the question."—The Committee divided:

Aye, 1.	Noes, 9.
Mr. Ayrton.	Admiral Erskine.
	Colonel Herbert.
	Mr. Hunt.
	Mr. Kinnaird.
	Sir J. Pakington.
	General Peel.
	Sir C. Russell.
	Sir H. Verney.
	Mr. Walpole.

Question put, That the proposed words be there added.—The Committee divided:

Ayes, 3.	Noes, 7.
Mr. Ayrton.	Admiral Erskine.
Mr. Hunt.	Colonel Herbert.
Sir C. Russell.	Mr. Kinnaird.
	Sir John Pakington.
	General Peel.
	Sir H. Verney.
	Mr. Walpole.

Another amendment proposed, after the word "who," to add the words, "may carry on the calling of a common prostitute in any of the places scheduled to the Bill"—(Mr. *Ayrton*).—Question, That those words be there added, put, and *negatived*.

Another amendment proposed, after the word "who," to add the words, "wilfully violates the provisions of this Act"—(Mr. *Walpole*).—Question, That those words be there added, put, and agreed to.—Main question, as amended, put, and *negatived*.

The Committee proceeded with the consideration of the Bill.

Postponed Clauses, 1 to 12 inclusive, read, amended, and *agreed to*.

Clause 13, read—amendments made.—Question put, That the clause, as amended, stand part of the Bill.—The Committee divided:

Ayes, 6.	Noes, 3.
Mr. Hunt.	Mr. Ayrton.
Mr. Kinnaird.	Admiral Erskine.
Sir John Pakington.	Mr. Walpole.
General Peel.	
Sir C. Russell.	
Mr. Walpole.	

Clause 14, amended, and *agreed to*.

Clause 15, *agreed to*.

Clause 16, amended, and *agreed to*.

Clause 17, *disagreed to.*

MS. Clause (Visiting Surgeon to prescribe Times, &c.), brought up, read a first and second time, amended, and *added* to the Bill.

Clauses 18, 19, and 20, amended, and *agreed to.*

Clause 21, *agreed to.*

Clauses 22, 23, and 24, amended, and *agreed to.*

MS. Clause (Effect of Imprisonment as to Order and Certificate), brought up, read a first and second time, as follows:—"On any woman being convicted and imprisoned as aforesaid, the order subjecting her to periodical medical examination shall continue in force; but any certificate under which she was detained in a certified hospital shall cease to operate," considered, and *postponed.*

MS. Clause (Penalty on Woman Discharged Uncured Conducting herself as Prostitute)—(Mr. *Hunt.*)—read, further considered, amended, and *added* to the Bill.

MS. Clause (Duration of Order), brought up, read a first and second time, amended, and *added* to the Bill.

Clauses 25, 26, 27, and 28, amended, and *agreed to.*

Clauses 29, 30, and 31, *agreed to.*

Clauses 32 and 33, amended, and *agreed to.*

Clause 34, *agreed to.*

MS. Clause, brought up, read a first and second time, as follows:—"The Admiralty, or the Secretary of State for War, shall provide that moral and religious instruction be given to every woman detained in any certified hospital under this Act"—(Mr. *Hunt*).

[Adjourned to Friday next, at One o'clock.

Friday, 20th April 1866.

MEMBERS PRESENT:

Lord CLARENCE PAGET, in the Chair.

Sir George Grey	Sir John Pakington.
Sir Charles Russell.	Marquis of Hartington.
Mr. Kinnaird.	Mr. Walpole.
Admiral Erskine.	Colonel Herbert.
Mr. Ayrton.	Sir James Fergusson.
Mr. Hunt.	

MS. Clause (Provision for Moral and Religious Instruction), brought up, read a first time, as follows:—"No hospital shall be certified under this Act, unless at the time of granting the certificate adequate provision is made for the moral and religious instruction of the woman detained therein; and if at any subsequent time it appears to the Admiralty, or the Secretary of State for War, that in any such hospital adequate provision for that purpose is not made, the certificate of that hospital shall be withdrawn"—(Mr. *Ayrton*).—Clause read a second time, and *added* to the Bill.

Postponed MS. Clause (Effect of Imprisonment as to Order and Certificate), further considered.—Question, That this Clause be added to the Bill, put, and *negatived.*

MS. Clause (Effect on Order of Imprisonment for quitting Hospital, &c.), brought up, read a first and second time, and *added* to the Bill.

MS. Clause (Effect of Order of Imprisonment for Absence, &c., from Examination), brought up, read a first and second time, and *added* to the Bill.

MS. Clause, "Regulation of Certified Hospitals," brought up, read a first and second time, and *added* to the Bill.

MS. Clause, "The reception of a woman in a certified hospital by the managers thereof, shall be deemed to be an undertaking by them to provide for her care and treatment, lodging, clothing, and food, during her detention in the hospital," brought up, read a first and second time, and *added* to the Bill.

MS. Clause, "If any woman detained in a hospital shall consider herself entitled to be discharged therefrom, and the chief medical officer of the hospital shall refuse to

discharge her, such woman shall, on her request, be conveyed before a justice of the peace, who, if he is satisfied, upon reasonable evidence, that she is free from contagious disease, shall discharge her from such hospital, and such order of discharge shall have the same effect as the discharge of the chief medical officer"—(Mr. *Ayrton*)—brought up, read a first and second time, and *added* to the Bill.

MS. Clause, "Every woman shall, on her discharge from the hospital, be sent to the place of her residence, if she so desires, without expense to herself"—(Mr. *Ayrton*)—brought up, read a first and second time, and *added* to the Bill.

MS. Clause, "Provided that nothing in this Act contained shall apply or extend, in the case of Woolwich, to any woman who is not resident within one of the parishes of Woolwich, Plumstead, or Charlton"—(Mr. *Ayrton*)—brought up, read a first and second time, and *added* to the Bill.

First schedule read:—Amendment proposed, after "Chatham," to insert the word "Gravesend"—(Sir *James Fergusson*).—Amendment, by leave, *withdrawn.*

Another amendment proposed, after "Aldershot," to insert the words:—

"Windsor:—
"Limits of parishes—
"Old Windsor
"New Windsor } In the county of Berks.
"Clewer
"Eton - - in the county of Bucks."—(Sir *Charles Russell.*)

Question proposed, That the proposed words be there added.—Amendment proposed to the proposed amendment, by leaving out the word "Eton,"—(Mr. *Ayrton*).—Question put, "That the word 'Eton' stand part of the proposed amendment.—The Committee divided:—

Ayes, 6.	Noe, 1.
Admiral Erskine.	Mr. Ayrton.
Mr. Hunt.	
Sir James Fergusson.	
Marquis of Hartington.	
Sir C. Russell.	
Colonel Herbert.	

Question, That the proposed words be there added, put, and *agreed to.*

First schedule, as amended, *agreed to.*

Second schedule amended, and *agreed to.*

Preamble of the Bill read, and *agreed to.*

Ordered, To report the Bill, as amended, to The House.

Motion made, and Question proposed, "That the Chairman be directed to move The House for leave to make a Special Report"—(Mr. *Hunt*).—Question put. The Committee divided:—

Ayes, 5.	Noes, 3.
Mr. Ayrton.	Admiral Erskine.
Sir James Fergusson.	Marquis of Hartington.
Mr. Hunt.	Colonel Herbert.
Sir J. Pakington.	
Sir C. Russell.	

Proposed Report read a first time, as follows:

"Your Committee have reason to believe, from information furnished to them from Government Departments, that much good has resulted from the efforts of an Association formed at Devonport for the purpose of reclaiming persons placed in the Royal Albert Hospital of that town, towards which some pecuniary assistance has been afforded by the Admiralty.

"Your Committee recommend that Her Majesty's Government should take into their consideration the desirability of affording aid to similar associations, for the purpose of promoting the reformation of patients detained under the provisions of this Bill."

Proposed Report read a second time, and *agreed to.*

Ordered, To Report.

SPECIAL

REPORT

FROM THE

SELECT COMMITTEE

ON THE

CONTAGIOUS DISEASES BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed,*
20 *April* 1866.

200

Under 1 *oz.*

Brought from the Lords, 16 *April* 1866.

REPORT

FROM THE

SELECT COMMITTEE OF THE HOUSE OF LORDS

ON THE

CORK AND YOUGHAL RAILWAY BILL [H.L.].

Ordered, by The House of Commons, *to be Printed,*
24 *April* 1866.

REPORT.

BY THE SELECT COMMITTEE on the "CORK and YOUGHAL RAILWAY BILL" (H. L.), to whom all Petitions were referred relating to the said Bill, with leave to the Committee to hear Counsel in favour of and against the said Bill.

ORDERED TO REPORT,

THAT the Committee have met and considered the said Bill, and also the said Petitions, and have heard Counsel, and examined Witnesses in support of the said Bill, and also in support of the Petitions of H. G. Pick, J. C. Harnett, R. S. Guinness, O. C. Edwards, G. A. Cape, and the official Liquidator of the London, Hamburgh, &c. Exchange Bank; and have agreed to the following Report:—The Committee think it right to report to the House the circumstances affecting this Company which have come to their knowledge. It appears that the Company were by their Acts empowered to raise by their capital and mortgage debentures the sum of about 500,000 *l.* It appears that the directors have raised, in addition and in excess of capital, by means of Lloyd's Bonds, the sum of 206,000 *l.*, and that they have also allowed to be put into circulation by a Mr. Lewis, who was the financier of the directors, the sum of 165,000 *l.*, in the shape of Lloyd's Bonds, which were to be given in exchange for old Lloyd's Bonds, but which old bonds were never returned to the directors; and also the sum of 30,000 *l.* of mortgage debentures, under similar circumstances, making in the whole a total of 926,000 *l.* as a claim against the Company. The directors now repudiate the bonds given to Mr. Lewis, which were to be given in return for the old bonds; but it is owing to their culpable neglect that these new bonds were placed in circulation, and with the knowledge of Mr. Lewis's improper conduct they continued him as a director and in their confidence. Mr. Lewis became bankrupt in 1865, and then ceased to be a director.

The Committee must remark, that these Lloyd's Bonds do not appear to have been given, with one trifling exception, directly to contractors and others in payment for work done, but to Mr. Lewis to raise money upon them as he best could, for the purpose of the directors.

None of the directors, of whom Sir C. Roney is chairman, have appeared before the Committee to explain these matters; and the Committee have been unable to ascertain how much money has ever been received by the Company from the putting in circulation the Lloyd's Bonds which were negotiated by Mr. Lewis with various finance companies.

And the Committee have gone through the Bill, and have directed the same to be reported to your Lordships, with some Amendments.

23 March 1866.

Brought from the Lords, 16 *April* 1866.

REPORT

FROM THE

SELECT COMMITTEE OF THE HOUSE OF LORDS

ON THE

CORK AND YOUGHAL RAILWAY BILL [H. L.].

Ordered, by The House of Commons, *to be Printed,*
24 *April* 1866.

209.

Under 1 *oz.*

REPORT

FROM THE

COMMITTEE

UPON

EXPIRING LAWS;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

FOR THE

I[ST] Session—XIX[TH] Parliament of the United Kingdom of GREAT BRITAIN and IRELAND.

(29 VICTORIA, 1866.)

Ordered, by The House of Commons, *to be Printed,*
27 *July* 1866.

Tuesday, 17*th July* 1866.

Ordered, That a Select Committee be appointed to inquire what Temporary Laws of a Public and General Nature are now in force, and what Laws of the like nature have expired since the last Report upon the subject; and also, what Laws of the like nature are about to expire at particular periods, or in consequence of any contingent public event; and to report the same, with their Observations thereupon, to The House.

Committee nominated of—

Mr. Hunt.
Mr. Dodson.
Sir Stafford Northcote.
Mr. Attorney General.
Mr. Solicitor General.
Mr. Adderley.
Mr. William Cowper.
Mr. Childers.
Colonel French.
Mr. Baring.
Col. Taylor.
Mr. Dunlop.
Lord John Manners.

Ordered, That the Committee have power to send for Persons, Papers and Records.

Ordered, That Three be the Quorum of the Committee.

Friday, 27*th July* 1866.

Ordered, That the Committee have power to report their Opinion to The House.

REPORT.

THE SELECT COMMITTEE appointed to inquire what TEMPORARY LAWS of a Public and General Nature ARE NOW IN FORCE, and what Laws of the like nature have EXPIRED since the last Report on the subject; and also, what Laws of the like nature ARE ABOUT TO EXPIRE at particular Periods, or in consequence of any Contingent Public Event; and to report the same, with their Observations thereupon, to The HOUSE;——HAVE considered the Matters to them referred, and have agreed to the following REPORT:—

THAT it is the opinion of this Committee, that a Register should be kept by some officer of The House appointed for that purpose, showing, with respect to all Acts of a public and general nature, the duration of which is limited, the date of their expiry; and that towards the close of the Session Schedules of those Acts about to expire should be sent by such officer to the departments concerned, for their remarks, and that thereafter a Return should be prepared in the same form, *mutatis mutandis*, as the present Report of Your Committee, and presented to The House.

2. That this proceeding, if adopted, will render unnecessary in future Sessions the appointment of a Committee upon Expiring Laws, and will fix upon a public officer the responsibility of bringing the subject before The House.

27 *July* 1866.

LIST.

REGISTER OF TEMPORARY LAWS NOW IN FORCE - - - - p. 5

INDEX OF TEMPORARY LAWS:—

CLASS I.—TEMPORARY LAWS the Duration of which is certain, unless so far as they depend on the Sitting of Parliament - - - - - p. 16

CLASS II.—TEMPORARY LAWS the Duration of which is uncertain - - - p. 18

INDEX TO LAWS which were inserted in the Register of Temporary Laws then in force in the last Report of the Committee on Expiring Laws (20 June 1865), but which are now omitted - - - - - - - - - - - - p. 19

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REGISTER OF TEMPORARY LAWS NOW IN FORCE.

Matter.	*Date.*	*Ch.*	*When passed.*	*Title of the Act.*	*Duration.*
1. BANK of ENGLAND INCORPORATION.	5,6 W.&M.	20, §20. 21.	7 Nov. 1693.	For granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; for securing certain Recompences and Advantages, in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of £. 1,500,000. towards the carrying on the War against France.	
	8, 9 W. 3.	20, §26. 27.			
	N. B.—Clauses for continuing this Corporation in successive Loan Acts down to				
	19, 20 Vict.	21.	5 June 1856.	Bank continued as a Corporation - - -	Till payment of Sums due to the Bank, and Redemption of all Bank Annuities created by Parliament.
				Note.—As to the Bank of England Privileges, *see* No. 5.	
2. BANK of IRELAND.	Acts of the Parliament of Ireland.				
	21,22 Geo. 3.	16.	1781.	For establishing a Bank, by the Name of The Governor and Company of the Bank of Ireland.	
	amended by				
	31 Geo. 3.	22.			
	37 Geo. 3.	50.			
	Acts of the United Parliament.				
	48 Geo. 3.	103.			
	1, 2 Geo. 4.	72.			
	3 Geo. 4.	26.			
	7 Will. 4. & 1 Vict.	59.			
	1, 2 Vict.	81.			
	2, 3 Vict.	91.			
	3, 4 Vict.	75.			
	8, 9 Vict.	37.	21 July 1845.	Bank of Ireland continued as a Corporation, and may be dissolved,	After 1 January 1855, on Twelve Months' Notice, and repayment of Debt due from the Public to the Bank.

REGISTER OF TEMPORARY LAWS NOW IN FORCE—*continued.*

Matter.	*Date.*	*Ch.*	*When passed.*	*Title of the Act.*	*Duration.*	
3. COAL TRADE (PORT OF LONDON).	1, 2 Will. 4.	lxxvi.	Local.	For regulating the Vend and Delivery of Coals in the Cities of London and Westminster, and in certain Parts of the Counties of Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire and Berkshire.	5 July	188
	continued					
	8, 9 Vict.	101.				
	and amended					
	24, 25 Vict.	42.	22 July 1861.			
	continued					
	26, 27 Vict.	46.	13 July 1863.			
4. EAST INDIA COMPANY'S DIVIDEND.	3, 4 Will. 4.	85.	28 Aug. 1833.	For effecting an Arrangement with the East India Company, and for the better Government of His Majesty's Indian Territories.		
	amended by					
	16, 17 Vict.	95.	20 Aug. 1853.	3 & 4 Will. 4, c. 85, § 12. Dividend on East India Stock subject to Redemption by Parliament (on 12 Months' notice) upon and at any time after - - - - - -	30 April	187
	Rights in respect of Dividend saved by					
	21, 22 Vict.	106.		§ 13. If the Company be deprived of the Government of India they may within one year thereafter demand Redemption of the Dividend,* and Dividend must be redeemed within three years after such demand.		
	Partly repealed by					
	24, 25 Vict.	67.	1 Aug. 1861.	[* The one year expires 1 September 1859, *see* 21 & 22 Vic. c. 106.]		
5. BANK OF ENGLAND PRIVILEGES.	3, 4 W. 4.	98.	29 Aug. 1833.	For giving to the Corporation of the Governor and Company of the Bank of England certain Privileges for a limited Period, under certain Conditions.	Determinable on 12 Months' Notice, after 1 August 1855, and on Repayment of the Debt due from the Public to the Bank.	
	amended by					
	7, 8 Vict.	32.				
	8, 9 Vict.	37, s. 6.				
	,,	38, s. 15.				
	and see as to s. 7.					
	17, 18 Vict.	90.		Note.—Sec. 6 seems permanent.		
6. LINEN, HEMPEN, COTTON and other MANUFACTURES (Ireland).	5, 6 Will. 4.	27.	21 Aug 1835.	To continue and amend certain Regulations for the Linen and Hempen Manufactures in Ireland.	13 August	186
	amended					
	3, 4 Vict.	91.	10 Aug. 1840.	For the more effectual Prevention of Frauds and Abuses committed by Weavers, Sewers and other Persons employed in the Linen, Hempen Union, Cotton, Silk and Woollen Manufactures in Ireland, and for the better Payment of their Wages, for One Year, and from thence to the End of the then next Session of Parliament.		
	continued and amended					
	5, 6 Vict.	68.				
	7, 8 Vict.	47.				
	continued					
	27, 28 Vict.	84.	29 July 1864.			

REGISTER OF TEMPORARY LAWS NOW IN FORCE—*continued.*

Matter.	*Date.*	*Ch.*	*When passed.*	*Title of the Act.*	*Duration.*	
7. CIVIL LIST.	1, 2 Vict.	2.	23 Dec. 1837.	For the Support of Her Majesty's Household, and of the Honour and Dignity of the Crown of the United Kingdom of Great Britain and Ireland - - - - - -	6 Months after the Death of Her Majesty.	
	amended					
	1, 2 Vict.	92.				
	15, 16 Vict.	39.				
8. OATHS, UNLAWFUL. (Ireland).	2, 3 Vict.	74.	24 Aug. 1839.	To extend and render more effectual an Act [4 Geo. 4, c. 87] to amend an Act [50 Geo. 3, c. 102] for preventing the administering and taking unlawful Oaths in Ireland.	7 July and END of then NEXT SESSION.	1867
	continued and amended					
	11, 12 Vict.	89.	31 Aug. 1848.			
	continued					
	25, 26 Vict.	32.	7 July 1862.			
9. POOR RATES, STOCK IN TRADE EXEMPTION.	3, 4 Vict.	89.	10 Aug. 1840.	To exempt Inhabitants of Parishes, Townships, and Villages from liability to be rated as such, in respect of Stock in Trade or other Property, to the Relief of the Poor, until - - -	1 October and END of then NEXT SESSION.	1866
	continued					
	28, 29 Vict.	119.	5 July 1865.			
10. SURVEY of GREAT BRITAIN.	4, 5 Vict.	30.	21 June 1841.	To authorize and facilitate the Completion of a Survey of Great Britain, Berwick-upon-Tweed and the Isle of Man.	31 December	1866
	amended and continued					
	19, 20 Vict.	61.	21 July 1856.			
	continued					
	24, 25 Vict.	65	1 Aug. 1861.			
11. HIGHWAY RATES. (E.)	4, 5 Vict.	59.	22 June 1841.	To authorize the Application of a Portion of the Highway Rates to Turnpike Roads, in certain Cases.	1 October and END of then NEXT SESSION.	1870
	continued					
	28, 29 Vict.	119.	5 July 1865.			

REGISTER OF TEMPORARY LAWS NOW IN FORCE—*continued.*

Matter.	*Date.*	*Ch.*	*When passed.*	*Title of the Act.*	*Duration.*	
12. LUNATIC ASYLUMS (Ireland).	5, 6 Vict.	123.	12 Aug. 1842.	For amending the Law relating to Private Lunatic Asylums in Ireland.	1 August and END of then NEXT SESSION.	1865
	continued					
	24, 25 Vict.	57.	1 Aug. 1861.			
13. COURTS MARTIAL (East Indies).	7, 8 Vict.	18.	6 June 1844.	To remove Doubts as to the Power of appointing, convening and confirming the Sentences of Courts Martial in the East Indies.	Continues, so far as regards Officers and Soldiers in Her Majesty's Service, during the continuance of any Act for punishing Mutiny and Desertion, &c.	
14. LANDED PROPERTY IMPROVEMENT (Ireland).	10 Vict.	32.	8 June 1847.	To facilitate the Improvement of Landed Property in Ireland.		
	amended					
	13, 14 Vict.	31.				
	continued					
	28, 29 Vict.	119.	5 July 1865.	As to Powers of Commissioners - - -	1 January and END of then NEXT SESSION.	1866
15. POOR LAWS (Ireland).	10, 11 Vict.	90.	22 July 1847.	To provide for the Execution of the Laws for Relief of the Poor in Ireland.		
	amended					
	14, 15 Vict.	68.				
	continued					
	28, 29 Vict.	119.	5 July 1865.	As to appointment of Commissioners, &c. -	23 July and END of then NEXT SESSION.	1866
16. ECCLESIASTICAL JURISDICTION.	10, 11 Vict.	98.	22 July 1847.	To amend the Law as to Ecclesiastical Jurisdiction in England.		
	continued					
	28, 29 Vict.	119.	5 July 1865.	As to certain Provisions - - - -	1 August and END of then NEXT SESSION.	1867
17. POOR LAW.	10, 11 Vict.	109.	23 July 1847.	For the Administration of the Laws for Relief of the Poor in England.		
	continued					
	28, 29 Vict.	105.	5 July 1865.	As to appointment of Commissioners, &c. -	23 July and END of then NEXT SESSION.	1866

REGISTER OF TEMPORARY LAWS NOW IN FORCE—*continued.*

Matter.	*Date.*	*Ch.*	*When passed.*	*Title of the Act.*	*Duration.*	
18. PRESERVATION OF THE PEACE (Ireland).	19, 20 Vict.	36.	30 June 1856.	For the better Preservation of the Peace in Ireland.	1 July and END of then NEXT SESSION.	1866
	amended					
	23, 24 Vict.	138.	28 Aug. 1860.			
	continued					
	28, 29 Vict.	118.	5 July 1865.			
19. COUNTY CESS, IRELAND.	11, 12 Vict.	32.	22 July 1848.	To facilitate the Collection of County Cess in Ireland.	1 August and END of then NEXT SESSION.	1866
	amended					
	20, 21 Vict.	7.	3 July 1857.			
	continued					
	28, 29 Vict.	119.	5 July 1865.			
20. SHEEP AND CATTLE (Diseased).	11, 12 Vict.	107.	4 Sept. 1848.	To prevent the spreading of contagious or infectious Disorders among Sheep, Cattle and other Animals.	1 August and END of then NEXT SESSION.	1866
	extended					
	16, 17 Vict.	62.	4 Aug. 1853.			
	continued					
	28, 29 Vict.	119.	5 July 1865.			
	amended					
	29 Vict.	4.				
	29 Vict.	15.*	23 Mar. 1865.	* Applies to Ireland only.		
21. COPYHOLD INCLOSURE and TITHE COMMISSIONS.	14, 15 Vict.	53.	1 Aug. 1851.	To consolidate and continue the Copyhold and Inclosure Commissions, and to provide for the Completion of Proceedings under the Tithe Commutation Acts. Temporary as to appointment of Commissioners, &c.	1 August and END of then NEXT SESSION.	1867
	continued					
	25, 26 Vict.	73.	7 Aug. 1862.			
22. EPISCOPAL and CAPITULAR ESTATES MANAGEMENT.	14, 15 Vict.	104.	8 Aug. 1851.	To facilitate the Management and Improvement of Episcopal and Capitular Estates in England.	1 January and END of then NEXT SESSION.	1866
	continued and amended					
	17, 18 Vict.	116.	11 Aug. 1854.			
	28, 29 Vict.	119.	5 July 1865.	*Note.*—This Act is applied by 21 & 22 Vict. c. 94 (s. 19), which is a permanent Act.		

REGISTER OF TEMPORARY LAWS NOW IN FORCE—*continued.*

Matter.	*Date.*	*Ch.*	*When passed.*	*Title of the Act.*	*Duration.*	
23. CORRUPT PRACTICES PREVENTION ACT, 1854.	17, 18 Vict.	102.	10 Aug. 1854.	To consolidate and amend the Laws relating to Bribery, Treating and undue Influence at Elections of Members of Parliament.	8 June and END of the NEXT SESSION.	1868
	partially repealed and remainder continued by					
	26, 27 Vict.	29.	8 June 1863.			
24. INCUMBERED ESTATES (West Indies.)	17, 18 Vict.	117.	11 Aug. 1854.	To facilitate the Sale and Transfer of Incumbered Estates in the West Indies.		
	amended and continued					
	21, 22 Vict.	96.	2 Aug. 1858.			
	amended					
	25, 26 Vict.	45.	17 July 1862.			
	continued			Temporary as to the offices, &c. of Commissioners - - - - - - - -	2 August	1867
	27, 28 Vict.	84.	29 July 1864.			
	and amended					
	27, 28 Vict.	108.	29 July 1864.			
	continued					
	28, 29 Vict.	119.	5 July 1865.			
25. MUTINY ACT (Army).	29 Vict.	9.	23 Mar. 1866.	For punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.		
				Continuance: In Great Britain - - -	25 April	
				- - - - Ireland, Jersey, Guernsey, Alderney, Sark and Isle of Man	1 May	
				- - - - Gibraltar, the Mediterranean, Spain and Portugal - -	1 August	1867
				- - - - Elsewhere in Europe, and in the West Indies and America -	1 Sept.	
				- - - - Cape of Good Hope, Isle of France or Mauritius, St. Helena, and Settlements on the Western Coast of Africa, from the 1st January 1866 to the	1 January	1868
				- - - - British Columbia and Van Couver's Island, from the date of the promulgation thereof in General Orders - - -	1 January	1868
				- - - - Elsewhere - - - - -	1 February	1869

REGISTER OF TEMPORARY LAWS NOW IN FORCE—*continued.*

Matter.	*Date.*	*Ch.*	*When passed.*	*Title of the Act.*	*Duration.*	
26. MUTINY ACT (Marine Forces).	29 Vict.	10.	23 Mar. 1866.	For the Regulation of Her Majesty's Royal Marine Forces while on Shore.		
				Continuance: In Great Britain - - -	25 April	1867
				- - - - Ireland, Jersey, Guernsey, Alderney, Sark and Isle of Man	1 May	1867
				- - - - Gibraltar, Spain and Portugal -	1 August	1867
				- - - - Elsewhere in Europe, and the West Indies, North America, and Cape of Good Hope -	1 Sept.	1867
				- - - - Elsewhere - - - - -	1 February	1868
27. DWELLINGS FOR LABOURING CLASSES (Ireland).	23, 24 Vict.	19.	15 May 1860.	To extend the Act to facilitate the Improvement of Landed Property in Ireland, and the Acts amending the same, to the Erection of Dwellings for the Labouring Classes in Ireland.	15 May and END of then NEXT SESSION.	1870
28. TURNPIKE ACTS, (G. B.)	28, 29 Vict.	119.	5 July 1865.	To continue certain Turnpike Acts in Great Britain.		
				As to certain Acts - - - - -	1 November and END of then NEXT SESSION.	1866
				As to certain Acts - - - - -	1 November and no longer.	1866
29. MILITIA BALLOTS SUSPENSION.	28, 29 Vict.	46.	19 June 1865.	To amend the Laws relating to the Ballots for the Militia in England, and to suspend the making of Lists and Ballots for the Militia of the United Kingdom.	1 October	1866

REGISTER OF TEMPORARY LAWS NOW IN FORCE—*continued.*

Matter.	*Date.*	*Ch.*	*When passed.*	*Title of the Act.*	*Duration.*	
30. MILITIA PAY (G. B. & I.)	28, 29 Vict.	47.	19 June 1865.	To defray the Charge of the Pay, Clothing, and Contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances to certain Officers of the Militia; and to authorize the Employment of the Non-commissioned Officers.	1 September	1866
31. PENSIONS, BRITISH FORCES (India).	25, 26 Vict.	27.	30 June 1862.	To increase the Amount payable out of the Revenues of India in respect of the Rating, Pay, Pensions, and other expenses of that nature, of Her Majesty's British Forces serving in India.	31 Mar.	1867
32. SALMON FISHERY ACT, 1861.	24, 25 Vict.	109.	6 Aug. 1861.	An Act to amend the Laws relating to Fisheries of Salmon in England.	1 October	1866
	28, 29 Vict.	119.	5 July 1865.	As to offices of Inspectors of Fisheries.		
	amended by			As to offices of Special Commissioners for English Fisheries, ss. 47. 51.	5 July and END of then NEXT SESSION.	1867
	28, 29 Vict.	121.	5 July 1865.			
33. INDUSTRIAL SCHOOLS.	24, 25 Vict.	113.	6 Aug. 1861.	For amending and consolidating the Law relating to Industrial Schools.	1 January	1867
	continued					
	25, 26 Vict.	10.	11 April 1862.			
34. INDUSTRIAL SCHOOLS (Scotland).	24, 25 Vict.	132.	6 Aug. 1861.	For consolidating and amending the Law relating to Industrial Schools in Scotland.	1 January	1867
	continued					
	25, 26 Vict.	10.	11 April 1862.			

REGISTER OF TEMPORARY LAWS NOW IN FORCE—*continued.*

Matter.	*Date.*	*Ch.*	*When passed.*	*Title of the Act.*	*Duration.*	
35. PROMISSORY NOTES.	26, 27 Vict.	105.	28 July 1863.	To remove certain Restrictions on the Negotiation of Promissory Notes and Bills of Exchange under a limited Sum.	28 July and END of then NEXT SESSION.	1866
36. SALMON FISHERY (IRELAND) ACT, 1863.	27, 28 Vict.	119.	29 July 1864.	An Act to amend the Laws relating to Fisheries in Ireland.	28 July and END of then NEXT SESSION.	1866
	continued by					
	28, 29 Vict.	119.	5 July 1865.	As to the offices of the Special Commissioners for Irish Fisheries.		
37. ALKALI ACT (1863.)	26, 27 Vict.	124.	28 July 1863.	For the more effectual Condensation of Muriatic Acid Gas in Alkali Works.	1 July	1868
38. SALMON FISHERIES (SCOTLAND) ACT AMENDMENT.	25, 26 Vict.	97.	2 Aug. 1862.	To regulate and amend the Law respecting the Salmon Fisheries of Scotland.	1 January	1867
	amended and continued					
	26, 27 Vict.	50.	13 July 1863.			
	continued					
	28, 29 Vict.	119.	5 July 1865.	As to powers of Commissioners.		
39. MALT FOR ANIMALS.	27, 28 Vict.	9.	28 April 1864.	To allow the making of Malt Duty Free to be used in Feeding Animals.	28 April and END of then NEXT SESSION.	1869
40. PROMISSORY NOTES AND BILLS OF EXCHANGE (Ireland).	27, 28 Vict.	20.	13 May 1864.	To remove certain Restrictions on the Negotiation of Promissory Notes and Bills of Exchange under a limited Sum in Ireland.	13 May and END of NEXT ENSUING SESSION.	1866

REGISTER OF TEMPORARY LAWS NOW IN FORCE—*continued.*

Matter.	*Date.*	*Ch.*	*When passed.*	*Title of the Act.*	*Duration.*	
41. CHAIN CABLES AND ANCHORS.	27, 28 Vict.	27.	23 June 1864.	For regulating the Proving and Sale of Chain Cables and Anchors.	1 July	1872
42. CONTAGIOUS DISEASES.	27, 28 Vict.	85.	29 July 1864.	For the Prevention of Contagious Diseases at certain Naval and Military Stations. This Act is superseded by 29 Vict. c. 35, after	29 July 30 September	1867 1866
43. BANK POST BILLS (Ireland).	27, 28 Vict.	86.	29 July 1864.	To permit, for a limited Period, Compositions for Stamp Duty on Bank Post Bills of Five Pounds and upwards in Ireland.	29 July	1867
44. PUBLIC SCHOOLS.	27, 28 Vict. continued 28, 29 Vict.	92. 119.	29 July 1864. 5 July 1865.	For annexing Conditions to the Appointment of Persons to Offices in the Governing Bodies of certain Public Schools and Colleges.	1 August	1866
45. MALT DUTY.	28, 29 Vict.	66.	29 June 1865.	To allow the Charging of Excise Duty on Malt according to the Weight of the Grain used.	29 June and END of then NEXT SESSION.	1869
46. WAR DEPARTMENT TRAMWAY (DEVON).	28, 29 Vict.	74.	29 June 1865.	To enable Her Majesty's Secretary of State for the War Department to lay down and use a Tramway or Temporary Railway across certain Public Roads in the County of Devon.	29 June -	1868
47. LOCOMOTIVES ON ROADS.	28, 29 Vict.	83.	5 July 1865.	For further regulating the use of Locomotives on Turnpike and other Roads for Agricultural and other purposes.	1 September	1867

REGISTER OF TEMPORARY LAWS NOW IN FORCE—*continued.*

Matter.	*Date.*	*Ch.*	*When passed.*	*Title of the Act.*	*Duration.*	
48. HABEAS CORPUS SUSPENSION ACT (IRELAND).	29 Vict.	1.	17 Feb. 1866.	To empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain for a limited time such Persons as he or they shall suspect of Conspiring against Her Majesty's Person and Government.	1 September	1866
49. CATTLE DISEASES.	29 Vict.	2.	20 Feb. 1866.	To amend the Law relating to Contagious or Infectious Diseases in Cattle and other Animals.	1 June and END of the then SESSION.	1867
50. PROSECUTION EXPENSES.	29,30 Vict.	52.	23 July 1866.	To extend the Law relating to the Expenses of Prosecutions, and to make provision for Expenses on Charges of Felony and certain Misdemeanors before Examining Magistrates.	26 July and END of the then NEXT SESSION.	1869

INDEX OF TEMPORARY LAWS.

Class I.

TEMPORARY LAWS

THE DURATION OF WHICH IS CERTAIN, UNLESS SO FAR AS THEY DEPEND ON THE SITTING OF PARLIAMENT.

ARRANGED IN ORDER OF THEIR DURATION.

* The ACTS having this mark, are continued to the Date set against them, and to the End of the then next Session.

† The ACTS having this mark, are continued to the Date set against them, and to the End of the then Session.

No.	*Matter.*	*Date of last continuing Act.*	*Duration.*
12	Lunatic Asylums (Ireland) - - - -	24, 25 Vict. c. 57 -	1 August - 1865*
22	Episcopal and Capitular Estates Management	28, 29 Vict. c. 119 -	1 January - 1866*
14	Landed Property Improvement (Ireland) -		
25	Mutiny - - - - - - - -	29 Vict. c. 9 - -	25 April - - 1867
26	Mutiny (Marine Forces) - - - -	29 Vict. c. 10 - -	25 April - - 1867
40	Promissory Notes and Bills of Exchange (Ireland) - - - - - - -	27, 28 Vict. c. 20 -	13 May - - 1866
18	Peace Preservation (Ireland) - - -	28, 29 Vict. c. 118 -	1 July - 1866*
17	Poor Law - - - - - - - -	28, 29 Vict. c. 105 -	23 July - - 1866*
15	Poor Laws (Ireland) - - - - -	28, 29 Vict. c. 119 -	23 July - - 1866*
36	Salmon Fishery (Ireland), 1863 - - -		28 July - - 1866*
35	Promissory Notes - - - - -	26, 27 Vict. c. 105 -	28 July - - 1866*
44	Public Schools - - - - - -	28, 29 Vict. c. 119 -	1 August - 1866
20	Sheep and Cattle (Diseased) - - -	28, 29 Vict. c. 119 -	1 August - 1866*
19	County Cess (Ireland) - - - -		
30	Militia Pay (G. B. & I.) - - - -	27, 28 Vict. c. 59 -	1 September 1866
48	Habeas Corpus Suspension (Ireland) - -	29 Vict. c. 1 - -	1 September 1866*
29	Militia Ballot Suspension - - - -	28, 29 Vict. c. 46 -	1 October - 1866*
32	Salmon Fishery, 1861 - - - -	28, 29 Vict. c. 119, 121	1 October - 1866*
9	Poor Rates, Stock in Trade Exemption -	28, 29 Vict. c. 119 -	1 October - 1866*
28	Turnpike Acts (G. B.) - - - -		1 November 1866*
			1 November 1866
10	Survey of Great Britain - - - -	24, 25 Vict. c. 65 -	31 December 1866

CLASS I.—TEMPORARY LAWS THE DURATION OF WHICH IS CERTAIN, &c.—*continued.*

No.	*Matter.*	*Date of last continuing Act.*	*Duration.*
33	Industrial Schools - - - - -	25, 26 Vict. c. 10 -	1 January - 1867
34	Industrial Schools (Scotland) - - -		
38	Salmon Fisheries (Scotland) Act Amendment	26, 27 Vict. c. 50 -	1 January - 1867
31	Pensions, British Forces (India) - - -	25, 26 Vict. c. 27 -	31 March - 1867
42	Contagious Diseases - - - - -	27, 28 Vict. c. 85 -	29 July - - 1867
49	Cattle Diseases - - - - -	29 Vict. c. 2 - -	1 June - - 1867*
43	Bank Post Bills (Ireland) - - - -	27, 28 Vict. c. 86 -	29 July - - 1867
8	Oaths Unlawful (Ireland) - - - -	25, 26 Vict. c. 32 -	7 July - - 1867*
21	Copyhold Inclosure and Tithe Commissions -	25, 26 Vict. c. 73 -	1 August - 1867*
16	Ecclesiastical Jurisdiction - - - -	28, 29 Vict. c. 119 -	1 August - 1867*
24	Incumbered Estates (West Indies) - -	17, 18 Vict. c. 117 - 28, 29 Vict. c. 119 -	2 August - 1867*
47	Locomotives on Roads - - - -	28, 29 Vict. c. 83 -	1 September 1867
23	Corrupt Practices Prevention Act (1854) -	26, 27 Vict. c. 95 -	8 June - - 1868*
46	War Department Tramway (Devon) - -	28, 29 Vict. c. 74 -	29 June - - 1868
37	Alkali Act (1863) - - - - -	26, 27 Vict. c. 124 -	1 July - - 1868
39	Malt for Animals - - - - -	27, 28 Vict. c. 9 -	28 April - - 1869*
45	Malt Duty - - - - - -	28, 29 Vict. c. 66 -	29 June - - 1869*
6	Linen, Hempen, &c. Manufactures (Ireland)	27, 28 Vict. c. 84 -	13 August - 1869
50	Prosecution Expenses - - - -	29, 30 Vict. c. 52 -	26 July - - 1869*
27	Dwellings for Labouring Classes (Ireland) -	23, 24 Vict. c. 19 -	15 May - - 1870*
11	Highway Rates (England) - - - -	28, 29 Vict. c. 119 -	1 October - 1870
41	Chain Cables and Anchors - - -	27, 28 Vict. c. 27 -	1 July - - 1872
3	Coal Trade (Port of London) - - -	26, 27 Vict. c. 46 -	5 July - - 1882

N.B.—By 48 Geo. 3, c. 106, if a Bill is introduced for the continuance of any Act which would expire in the same Session, and such Act shall expire before the Bill for continuing the same receives the Royal Assent, the continuing Act takes effect from the expiration of the former Act, but not so as to affect any person with any penalty in the interval.

Class II.

TEMPORARY LAWS

THE DURATION OF WHICH IS UNCERTAIN.

ARRANGED IN ALPHABETICAL ORDER.

No.	*Name.*	*Date of last continuing Act.*	*Duration.*
1	Bank of England Incorporation.	19, 20 Vict. c. 21 -	- - Till Payment of Sums due to the Bank, and Redemption of all Bank Annuities created by Parliament.
5	Bank of England Privileges.	3, 4 Will. 4, c. 98 -	- - Determinable on 12 Months' Notice after 1st August 1855, and on Repayment of Debt due from the Public to Bank.
2	Bank of Ireland -	8, 9 Vict. c. 37 - -	- - May be dissolved after 1 January 1855 on 12 Months' Notice, and Repayment of Debt due from the Public to the Bank.
7	Civil List - - -	1, 2 Vict. c. 2 - -	Six Months after the Death of Her Majesty.
13	Courts Martial (East Indies).	7, 8 Vict. c. 18 - -	- - During the continuance of any Act for punishing Mutiny and Desertion, &c.
4	East India Company's Dividend.	3, 4 Will. 4, c. 85 -	- - Dividend subject to redemption by Parliament (on 12 Months' Notice) upon and at any time after 20th April 1874. As to right to demand redemption of Dividend, *see* No. 4 of Register.

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TO

LAWS which were inserted in the Register of Temporary Laws then in force in the last REPORT of the COMMITTEE on EXPIRING LAWS,

(June 1865),

But which are now omitted.

Subject.	*No. in Register 1865.*	*Reason for Omission.*
Poor Relief, Metropolis - -	48	Made perpetual by 28, 29 Vict. c. 34.
Party Emblems (Ireland) -	32	Expired.
Lunatics (Scotland) Act Amendment.	25	Made permanent by 29 Vict. c. 51.
Indemnity Offices - - -	29	Expired.

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OF THE SUBJECT-MATTER OF THE ACTS CONTAINED IN THIS REPORT.

The * signifies that the Act relates *exclusively* to Ireland.

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Civil List - - - - -	7.
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* County Cess - - - - -	19.
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* Habeas Corpus Suspension - -	48.
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* Promissory Notes and Bills of Exchange.	40.
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Salmon Fishery, 1861 - - -	32.
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PROCEEDINGS OF THE COMMITTEE.

Wednesday, 25th July 1866.

MEMBERS PRESENT:

The Solicitor General.	Mr. Hunt.
Colonel Taylor.	Colonel French.

Mr. *Hunt* was called to the Chair.

The Committee deliberated.

[Adjourned to Friday next, at One o'clock.

Friday, 27th July 1866.

MEMBERS PRESENT:

Mr. HUNT in the Chair.

Colonel French.	Mr. Childers.
Colonel Taylor.	

Report read a first and second time, and *agreed to.*

The Committee deliberated.

Resolved,—"That a Register should be kept by some Officer of the House appointed for that purpose, showing with respect to all Acts of a Public and General Nature, the duration of which is limited, the date of their expiry, and that towards the close of the Session Schedules of those Acts about to expire should be sent by such Officer to the Departments concerned for their remarks, and that thereafter a Return should be prepared in the same form, *mutatis mutandis,* as the present Report of your Committee."

Resolved,—"That this proceeding, if adopted, will render unnecessary in future Sessions the appointment of a Committee upon Expiring Laws, and will fix upon a Public Officer the responsibility of bringing the subject before the House."

Ordered,—"That the foregoing Resolutions be Reported to The House."

Ordered to report.

REPORT

FROM THE

COMMITTEE

UPON

EXPIRING LAWS;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed,*
27 *July* 1866.

448.

Under 3 *oz.*

FIRST

REPORT

FROM THE

SELECT COMMITTEE

ON THE

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS);

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed,*
2 *May* 1866.

Wednesday, 7th February 1866.

Ordered, THAT a Standing Committee be appointed to Control the Arrangements of the Kitchen and Refreshment Rooms, in the Department of the Serjeant-at-Arms attending this House:

Committee nominated of—

Colonel French.	Mr. Adam.
Lord Robert Montagu.	General Dunne.
Mr. Dalglish.	Mr. Alderman Lawrence.
Mr. Onslow.	

Ordered, THAT Three be the Quorum of the Committee.

Wednesday, 2nd May 1866.

Ordered, THAT the Committee have power to Report their Observations from time to time to The House.

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PROCEEDINGS OF THE COMMITTEE - - - - - p. iv

REPORT.

THE SELECT COMMITTEE appointed to Control the Arrangements of the KITCHEN and REFRESHMENT ROOMS, in the Department of the SERJEANT-AT-ARMS attending The HOUSE;——HAVE agreed to the following REPORT:—

THAT during the late Parliament your Committees on Kitchen and Refreshment Rooms (House of Commons) on several occasions reported that the Dining Rooms are badly ventilated, inconvenient, and too small for the requirements of the House; and that the Kitchen and other offices connected therewith are inadequate to carry on the business in a satisfactory manner.

That your Committee, endorsing the opinions expressed by the Committees in former years, call your attention to the deficiency of accommodation complained of, and recommend that an enlargement of the Rooms be executed according to a plan prepared by Mr. E. M. Barry, in 1863, at the request of the First Commissioner of Works, at an estimated cost of 4,650 *l.* This plan, if carried out, is expected to remedy the imperfections of the present Rooms, and would not materially interfere with other parts of the building.

That, during the present Session the want of sufficient accommodation has been more manifest than on any former year. The average number of Members dining during the last month has been 125 per day, and on one evening before Easter as many as 239 dined in these rooms. The tables accommodate 96 persons, and as it frequently happens that many more than that number wish to dine at the same time, many Members are put to much inconvenience thereby.

That your Committee, wishing to ascertain the opinion of the House upon the subject, placed in the Dining Room a drawing of the proposed alterations, and nearly 100 Members signed a paper in approval of the alteration. As many more Members have since expressed themselves in favour of such an enlargement of the rooms, your Committee recommend that the alterations should be carried out at the earliest opportunity.

2 *May* 1866.

PROCEEDINGS OF THE COMMITTEE.

Friday, 9th February 1866.

MEMBERS PRESENT:

Colonel French.	Lord Robert Montagu.
General Dunne.	Mr. Dalglish.

Colonel FRENCH was called to the Chair.

Resolved, "That several complaints having been made concerning the quality of the brandy and certain of the sherries supplied to the House of Commons by Messrs. Green & Co., also of the 'Cos d'Estournel' and 'La Rose,' supplied by Tod-Heatly & Co. the respective wine merchants be requested to substitute better wines at similar rates, in the place of the wines complained of."

Resolved, "That the Clerk do write to Messrs. Green, asking them to explain the fact that a drunken man came to remove and replace some of Green's wine, and to desire Messrs. Green to replace a rope and pulley (the property of the House), stated to have been stolen by that man."

Resolved, "That the Serjeant-at-Arms be requested to send a demand to the Office of Works for certain articles required for the Kitchen and Refreshment Rooms."

[Adjourned to Friday next, at Three o'clock.

Friday, 16th February 1866.

MEMBERS PRESENT:

Colonel FRENCH in the Chair.

Lord R. Montagu.	Mr. Alderman Lawrence.
General Dunne.	

Letter from Green & Co., and Tod-Heatly & Co., in answer to Letters written in accordance with the Resolution of the Committee, were read.

The Committee deliberated.

Mr. Lucas handed in an account of the amount paid to the respective wine merchants, for wine consumed in the Session 1865, as follows:—

	£.	s.	d.
Green & Co. - - - - - -	223	12	3
Tod-Heatly & Co. - - - - - -	293	13	3
Standring & Co. - - - - - -	141	16	2
	£. 659	1	8

Resolved, "That the Serjeant-at-Arms be requested to send a requisition to the Office of Works for certain articles required for the Dining Rooms."

[Adjourned to Wednesday next, at Three o'clock.

Wednesday, 21*st February* 1866.

MEMBERS PRESENT:

Colonel FRENCH in the Chair.

Mr. Dalglish.
Mr. Alderman Lawrence.
Mr. Adam.

Resolved, "That in consequence of the great increase of Members dining at the House of Commons, 40 dozen table napkins, 12 dozen glass cloths, 12 dozen coarse cloths additional, are required for the service of the Room, and that the Serjeant-at-Arms be requested to send a requisition to the Office of Works for the said articles."

[Adjourned to Wednesday next, at Three o'clock.

Wednesday, 28*th February* 1866.

MEMBERS PRESENT:

Mr. Alderman Lawrence.
General Dunne.

Wednesday, 7*th March* 1866.

MEMBERS PRESENT:

Colonel FRENCH in the Chair.

Mr. Guildford Onslow.
Lord Robert Montagu.

The Committee deliberated.

[Adjourned to Wednesday next, at half-past Three o'clock.

Wednesday, 14*th March* 1866.

MEMBERS PRESENT:

Colonel FRENCH in the Chair.

Mr. Dalglish.
Mr. Adam.

Committee deliberated.

[Adjourned to Wednesday, 21st March, at half-past Three o'clock.

Wednesday, 21*st March* 1866.

MEMBERS PRESENT:

Colonel FRENCH in the Chair.

Mr. Adam.
Mr. Dalglish.
Mr. Onslow.

The Committee deliberated.

[Adjourned to Wednesday, 11th April, at half-past Three o'clock.

Wednesday, 11*th April* 1866.

MEMBERS PRESENT:

Colonel FRENCH in the Chair.

Mr. Adam.	Mr. Onslow.
Mr. Dalglish.	Lord Robert Montagu.

Committee deliberated.

Resolved, "That the Serjeant-at-Arms be requested to send a requisition to the Office of Works, for a wine bin, to be placed in the shelves in Dispensing Room."

[Adjourned to Wednesday next, at half-past Three o'clock.

Wednesday, 18*th April* 1866.

MEMBERS PRESENT:

Colonel FRENCH in the Chair.

Mr. Adam.	Mr. Onslow.
General Dunne.	Mr. Dalglish.

Resolved, "That the Serjeant-at-Arms be requested to send a demand for certain articles required for the Kitchen and Refreshment Rooms."

[Adjourned.

Wednesday, 25*th April* 1866.

MEMBERS PRESENT:

Colonel FRENCH in the Chair.

Lord Robert Montague.	General Dunne.
Mr. Onslow.	

Resolved, "That Mr. Max Greger be allowed to supply Hungarian wines to the House of Commons, and that Messrs. Green, and Messrs. Standring & Co., be informed of this Resolution."

Resolved, "That the attention of Mr. Lucas be called to the dilatoriness of the waiters in supplying Refreshments to the Members in the Committee Rooms upstairs."

[Adjourned to Wednesday next, at half-past Two o'clock.

Wednesday, 2nd May 1866.

MEMBERS PRESENT:

Colonel FRENCH in the Chair.

General Dunne.	Mr. Dalglish.
Mr. Adam.	Lord Robert Montagu.
Mr. Lawrence.	

Mr. Lucas handed in the following Statement of the number of Members who had dined in the dining rooms of the House of Commons during the present Session up to May 1st:

Feb.	6	132		March	5	100		April	16	146	
	8	130			6	65			17	130	
	9	41	303		8	121			19	144	
					9	71	2,075		20	120	3,945
	12	127									
	13	19			12	151			23	136	
	15	239			13	131			24	72	
	16	125			15	104			26	126	
	17	40	853		16	77	2,538		27	132	4,411
	19	151			19	99			30	70	
	20	131			20	74		May	1	48	4,529
	22	120			22	80					
	23	69	1,324		23	68	2,859				
	26	121		April	9	84					
	27	68			10	122					
March	1	105			12	208					
	2	100	1,768		13	132	3,405				

First Report brought up, and agreed to, as follows:

"That during the late Parliament, your Committees on Kitchen and Refreshment Rooms (House of Commons) on several occasions reported that the Dining Rooms are badly ventilated, inconvenient, and too small for the requirements of the House; and that the Kitchen, and other offices connected therewith, are inadequate to carry on the business in a satisfactory manner.

"That your Committee, endorsing the opinions expressed by the Committees in former years, call your attention to the deficiency of accommodation complained of, and recommend that an enlargement of the rooms be executed according to a plan prepared by Mr. E. M. Barry, in 1863, at the request of the First Commissioner of Works, at an estimated cost of 4,650 *l.* This plan, if carried out, is expected to remedy the imperfections of the present rooms, and would not materially interfere with other parts of the building.

"That, during the present Session the want of sufficient accommodation has been more manifest than on any former year. The average number of Members dining during the last month has been 125 per day; and on one evening before Easter as many as 239 dined in these rooms. The tables accommodate 96 persons; and as it frequently happens that many more than that number wish to dine at the same time, many Members are put to much inconvenience thereby.

"That your Committee, wishing to ascertain the opinion of the House upon the subject, placed in the dining-room a drawing of the proposed alterations, and nearly 100 Members signed a paper in approval of the alteration. As many more Members have since expressed themselves in favour of such an enlargement of the rooms, your Committee recommend that the alterations should be carried out at the earliest opportunity.

Ordered, To Report.

[Adjourned to Wednesday next, at half past Three o'clock.

FIRST

REPORT

FROM THE

SELECT COMMITTEE

ON THE

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS);

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed*,
2 *May* 1866.

228.

Under 1 *oz.*

FIRST REPORT

FROM THE

COMMITTEE OF SELECTION

RELATIVE TO THE

GROUPING OF PRIVATE BILLS.

CLASSIFICATION OF PRIVATE BILLS.

THE COMMITTEE OF SELECTION have formed the following Private Bills into Groups, and have agreed to Report the same to the House:

GROUP A.

Banffshire Roads.
Butterton Moor End Road.
Congleton and Buxton Road.
Derwent and Shotley Bridge Road.
Dryclough, Shaw, and Rochdale Roads.
Macclesfield and Chapel-in-the-Frith Road.
Rochdale and Edenfield Roads.
Ross and Cromarty Roads.
Stafford, Churchbridge, &c. Roads.
Stafford, Sandon, and Eccleshall Roads.

GROUP B.

Abercarn Roads.
Bodmin Roads.
Combmartin and Ilfracombe Road.
Greenwich and Woolwich Lower Road.
Harnham, Blandford, and Dorchester Road.
Huntley, Mitcheldean, and Elton Roads.
Kingsbridge and Dartmouth Roads.
Saltash Road.
Swindon, Calne, and Cricklade Roads.
Tonbridge and Ightham Road.
Watling-street Road (Wellington District).

GROUP C.

Aldrington, Hove, and Brighton Gas.
Banbury Gas.
Brighton and Hove General Gas.
Canterbury Gas and Water.
Childwall Gas.
Newark Gas.
Sheffield United Gas.
Stockton Gas.

GROUP D.

Birmingham Water.
Holyhead Water.
Huddersfield Water.
Leicester Water.
West Middlesex Water.
Wigton Water.

GROUP E.

Manchester Improvement.
Manchester Royal Exchange.
Maryport Improvement, Harbour, and Dock.
Nelson Local Board Bill.
Tynemouth Improvement.

GROUP F.

Dublin Corporation Water.
Dublin Port Acts Amendment.
Dublin Port (Docks).
Rathmines and Rathgar Improvement.

COMMITTEE OF SELECTION.

FIRST REPORT FROM THE COMMITTEE OF SELECTION.

Ordered, by The House of Commons, *to be Printed,*
23 *February* 1866.

63.+

Under 1 *oz.*

SECOND REPORT

FROM THE

COMMITTEE OF SELECTION

RELATIVE TO THE

GROUPING OF PRIVATE BILLS.

CLASSIFICATION OF PRIVATE BILLS.

THE COMMITTEE OF SELECTION have formed an additional Group of Private Bills, and have agreed to Report the same to the House, as follows:

GROUP G.

Bromsgrove and Droitwich Water.
Cambridge University and Town Water.
Ebbw Vale, Beaufort, &c. Water.
Newcastle and Gateshead Water.
Paisley Water.
Sheffield Water.
South Staffordshire Water.
Truro Water.

COMMITTEE OF SELECTION.

SECOND REPORT

FROM THE

COMMITTEE OF SELECTION.

Ordered, by The House of Commons, *to be Printed,*
27 *February* 1866.

63—I.

THIRD REPORT

FROM THE

COMMITTEE OF SELECTION

RELATIVE TO THE

GROUPING OF PRIVATE BILLS

CLASSIFICATION OF PRIVATE BILLS.

The Committee of Selection have formed additional Groups of Private Bills, and have agreed to Report the same to the House, as follows:

GROUP H.

Bridge of Allan Water.
Dundee Water.
Heywood Water
Kilmarnock Water.
Rochdale Water.
Waveney Valley Drainage.

GROUP I.

Greenock Water.
Hull Corporation and Dock Company.
Hull Docks.
Mersey Docks and Harbour Board (Outer Works Alteration).
Mersey Docks and Harbour Board (Shore Road Purchase, &c).

GROUP K.

British Gas Company (Staffordshire Potteries).
Slough, Datchet, and District Gas.
Slough Gas.
Stourbridge Gas Act Amendment.
Walker and Wallsend Union Gas.
Wandsworth and Putney Gas.

COMMITTEE OF SELECTION.

THIRD REPORT

FROM THE

COMMITTEE OF SELECTION.

Ordered, by The House of Commons, *to be Printed,*
2 *March* 1866.

63—II.

FOURTH REPORT

FROM THE

COMMITTEE OF SELECTION

RELATIVE TO THE

GROUPING OF PRIVATE BILLS.

CLASSIFICATION OF PRIVATE BILLS.

THE COMMITTEE OF SELECTION have made alterations in the Groups of Private Bills already formed, have formed additional Groups, and have agreed to Report the same to the House:

GROUP I.

They have withdrawn the—

Greenock Water.

They have added the—

Burntisland Harbour and Dock.
Greenock Harbour.

GROUP K.

They have withdrawn the—

British Gas Company (Staffordshire Potteries).

GROUP L.

Barnsley Local Board of Health.
Bradford Corporation.
Economic Telegraph Company.
Leeds Borough.
Leeds Improvement Acts Amendment.
Newchurch Parish Division.
Newport (Monmouth) Borough.

GROUP M.

Manchester Central Exchange.
Manchester Division Petty Sessions Court.
Middlesborough Extension and Improvement.
Saint George's Parish, County of Gloucester.
Stourbridge Improvement.

GROUP N.

Glasgow Bridges.
Glasgow (City) Improvements, &c.
Glasgow Corporation Water.
Glasgow Police.

GROUP O.

Brynmawr Gas.
Chatham, Rochester, &c. Gas.
Cleethorpes Gas.
Neath New Gas.
Worksop and Shireoaks Gas.

FOURTH REPORT FROM THE COMMITTEE OF SELECTION.

Ordered, by The House of Commons, *to be Printed,*
6 *March* 1866.

63—III.

FIFTH REPORT

FROM THE

COMMITTEE OF SELECTION

RELATIVE TO THE

GROUPING OF PRIVATE BILLS.

CLASSIFICATION OF PRIVATE BILLS.

The Committee of Selection have made alterations in the Groups of Private Bills already formed, and have agreed to Report the same to the House:

GROUP H.

They have added the—

Weardale and Shildon District Water.

GROUP K.

They have added the—

British Gas Company (Staffordshire Potteries).

GROUP L.

They have added the—

Tyne Improvement.
Liverpool Corporation Water.

GROUP N.

They have added the—

Greenock Water.
Greenock and Shaws Water.

COMMITTEE OF SELECTION.

FIFTH REPORT

FROM THE

COMMITTEE OF SELECTION.

Ordered, by The House of Commons, *to be Printed,*
20 *March* 1866.

63—IV.

SIXTH REPORT

FROM THE

COMMITTEE OF SELECTION

RELATIVE TO THE

GROUPING OF PRIVATE BILLS.

CLASSIFICATION OF PRIVATE BILLS.

The Committee of Selection have made alterations in the Groups of Private Bills already formed, have formed additional Groups, and have agreed to Report the same to the House:

GROUP I.

They have added the—

Dagenham (Thames) Dock [*Lords*].
Harwich Harbour Estate and Lands Improvements Company [*Lords*].

GROUP O.

They have added the—

Ventnor Gas and Water [*Lords*].

GROUP P.

Belfast Gas [*Lords*].
Belfast Burial Board.
Bray Improvements.
St. Stephen's Green, Dublin.

GROUP Q.

St. Margaret's, Westminster, Improvement.
St. Martin's-in-the-Fields Workhouse Rebuilding.
Thames River Purification.

SIXTH REPORT FROM THE COMMITTEE OF SELECTION.

Ordered, by The House of Commons, *to be Printed,*
13 *April* 1866.

63—V.

SEVENTH REPORT

FROM THE

COMMITTEE OF SELECTION

RELATIVE TO THE

GROUPING OF PRIVATE BILLS.

CLASSIFICATION OF PRIVATE BILLS.

THE COMMITTEE OF SELECTION have made alterations in the Groups of Private Bills already formed, have formed an additional Group, and have agreed to Report the same to the House:

GROUP Q.

They have withdrawn the—

St. Martin's-in-the-Fields Workhouse Rebuilding.

They have added the—

Metropolis Sewage and Essex Reclamation.
Thames Subway.

GROUP R.

Brighton West Pier.
Longton Gas.
Ardmore Harbour.

COMMITTEE OF SELECTION.

SEVENTH REPORT FROM THE COMMITTEE OF SELECTION.

Ordered, by The House of Commons, *to be Printed,*
18 *May* 1866.

63—VI.

EIGHTH REPORT

FROM THE

COMMITTEE OF SELECTION

RELATIVE TO THE

GROUPING OF PRIVATE BILLS.

CLASSIFICATION OF PRIVATE BILLS.

The Committee of Selection have made Alterations in a Group of Private Bills already formed, and have agreed to Report the same to the House:

GROUP R.

They have added the—

Holderness Embankment and Reclamation.
Imperial Gas (No. 3).
Liverpool Sewage Utilization.

EIGHTH REPORT FROM THE COMMITTEE OF SELECTION.

Ordered, by The House of Commons, *to be Printed,*
26 *June* 1866.

NINTH REPORT

FROM THE

COMMITTEE OF SELECTION

RELATIVE TO THE

GROUPING OF PRIVATE BILLS.

CLASSIFICATION OF PRIVATE BILLS.

The Committee of Selection has made an Alteration in a Group of Private Bills already formed, and have agreed to Report the same to the House:

GROUP R.

They have withdrawn the—

Ardmore Harbour.

COMMITTEE OF SELECTION.

NINTH REPORT

FROM THE

COMMITTEE OF SELECTION.

Ordered, by The House of Commons, *to be Printed,*
5 *July* 1866.

FIRST REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

THE GENERAL COMMITTEE on RAILWAY and CANAL BILLS have formed the following Bills into Groups, and have agreed to report the same to The House:—

ENGLAND.

Group 1.

Read 2°.	
26 Feb.	1. Barnet, Hendon, and Midland Junction Railway.
14 Feb.	2. East London Eastern Extension Railway.
13 Feb.	3. Edgware, Highgate, and London Railway.
21 Feb.	4. Great Eastern Railway (Alexandra Park Branches).
13 Feb.	5. Great Northern Railway (Potter's Bar, Barnet, and Hendon).
	6. Great Western and Brentford Railway.
	7. Hampstead, Highgate, and Charing Cross Railway.
14 Feb.	8. Hounslow and Metropolitan Railway.
	9. Metropolitan and Richmond Railway.
26 Feb.	10. Metropolitan District Railway.
13 Feb.	11. Metropolitan Railway (Additional Powers).
	12. Mid-London Railway.
21 Feb.	13. Muswell Hill Estate and Railways.
15 Feb.	14. North Metropolitan Railway.
	15. North Western and Charing Cross Railway.
26 Feb.	16. Tottenham and Hampstead Junction Railway.
	17. Watford and Edgware Junction Railway.
	18. Bricklayers' Arms and Elephant and Castle Junction Railway.
	19. Brixton, Clapham, and Balham Extension Railways.
	20. City, Kingston, and Richmond Railway.
	21. Croydon Direct Railway.
	22. Croydon, Mitcham, and Kingston Railway.
	23. Crystal Palace and South London Junction Railway.
14 Feb.	24. East London Railway (South Western Extension).
	25. Kingston and Epsom Railway.
	26. London, Brighton, and South Coast Railway (Surrey Lines).
	27. London, Chatham, and Dover, and South Eastern (Kennington, Clapham, and Brixton) Railways.
	28. London, Chatham, and Dover Railway (New Lines, &c.)
14 Feb.	29. London, Chatham, and Dover Railway (Various Powers).
26 Feb.	30. London and South Western Railway (Additional Powers).
	31. South Eastern Railway.
	32. Wimbledon Railways.

Group 2.

Read 2°.

1. Elham Valley Railway.

21 Feb. 2. Hadlow Railway.

3. International Communication between England and the Continent.

4. London, Chatham, and Dover Railway (Chatham Dockyard Branch).

13 Feb. 5. Maidstone and Ashford Railway.

6. Mid-Kent and South Eastern Railway Companies.

7. New Romney Railway.

Group 3.

1. London and Worthing Direct Railway.

2. London, Brighton, and South Coast Railway (St. Leonard's and Hastings Lines).

21 Feb. 3. London, Brighton, and South Coast Railway (Various Powers).

4. London, Chatham, and Dover, and South Eastern (Bromley, Farnborough, and West Wickham) Railways.

5. South Eastern, and London, Chatham, and Dover (London, Lewes, and Brighton) Railways.

6. South Eastern Railway (London, Croydon, and Caterham Junction Railways).

Group 4.

1. Andover, Radstock, and Bristol Railway.

2. Berks and Hants Extension Railway.

14 Feb. 3. Bridgwater and Taunton Canal and Bristol and Exeter Railway.

4. Bridport, Lyme, and South Coast Railway.

21 Feb. 5. Calne Railway.

6. Castle Carey and Langport Railway.

13 Feb. 7. London and South Western Railway (Poole and Bournemouth Junctions).

13 Feb. 8. Mid-Hants Railway.

9. Salisbury and Dorset Junction Railway.

14 Feb. 10. Salisbury and Yeovil Railway.

11. Sunningdale and Cambridge Town Railway.

14 Feb. 12. Upavon and Andover Railway.

Group 5.

14 Feb. 1. Bridgwater Railway.

14 Feb. 2. Bristol and Exeter Railway (Additional Powers).

3. Bristol and North Somerset Railway (Bristol Lines).

4. Bristol and North Somerset Railway (Deviation).

5. Bristol and North Somerset Railway (Southern Extension).

6. Bristol and Portishead Pier and Railway.

7. Bristol Harbour Junction Railway and Wharf Depôt.

8. Bristol Port Extension.

9. North and South Wiltshire Junction Railway.

10. Somerset and Dorset and Bristol and North Somerset Railways.

11. Somerset and Dorset Railway.

12. Wantage and Great Western Junction Railway.

13 Feb. 13. Wiltshire Railways.

Group 6.

Read 2°.

1. Bideford, Appledore, and Westward Ho' Railway.
14 Feb. 2. Bristol and Exeter Railway (Exe Valley Railways).
3. Devon and Cornwall Railway.
4. Devon and Somerset Railway (Amendment of Acts).
13 Feb. 5. Devon and Somerset Railway (Capital).
13 Feb. 6. Devon and Somerset Railway (Deviation, &c.)
13 Feb. 7. Exe Valley Railway.
8. Ilfracombe Railway.
9. Kingsbridge Railway.
13 Feb. 10. Launceston and South Devon Railway.
15 Feb. 11. South Devon Railway.
21 Feb. 12. Teign Valley Railway.
14 Feb. 13. Central Cornwall Railway.
14. Perran Railway, Pier, and Harbour.
15. Tamar, Kit Hill, and Callington Railway.
16. Tavistock and Gunnislake Railway.

Group 7.

1. Bromyard and Hereford Railway.
13 Feb. 2. East Gloucestershire Railway.
3. Knighton Railway.
20 Feb. 4. London, Bucks, and Gloucestershire Junction Railway.
5. London, Worcester, and South Wales Railway.
6. Midland and South Wales Junction Railway.
13 Feb. 7. Northampton and Banbury Junction Railway.
13 Feb. 8. Presteign, Clun, and Bishop's Castle Railway.
9. Ross and Tewkesbury Railway.
13 Feb. 10. Severn Junction Railway.
11. Teme Valley Railway.
12. Thames and Severn Canal Navigation.
13 Feb. 13. Winchcomb and Midland Railway.
14. Worcester, Bromyard, and Leominster Railway.
15. Wye Valley Railway.

Group 8.

1. Bishop's Castle Railway.
14 Feb. 2. Bridgnorth, Wolverhampton, and Staffordshire Railway.
13 Feb. 3. Ellesmere and Glyn Valley Railway.
26 Feb. 4. Shrewsbury and North Wales and Shrewsbury and Potteries Junction Railway Companies Amalgamation.
5. Shrewsbury and North Wales Railway (Meifod Valley Extension, &c.)

Group 9.

13 Feb. 1. Buckley Railway (Additional Powers).
13 Feb. 2. Buckley Railway (Docks, &c.)
14 Feb. 3. Cheshire Lines,
14 Feb. 4. Chester and West Cheshire Junction Railway.
13 Feb. 5. Hoylake Railway.
13 Feb. 6. London and North Western Railway (New Lines).
13 Feb. 7. Macclesfield, Knutsford, and Warrington Railway.
8. Manchester and Stockport Railway.
14 Feb. 9. North Wales, Birkenhead, and Liverpool Railway.

Read 2°.

13 Feb. 10. Wrexham, Mold, and Connah's Quay and Hoylake Railways.
11. Wrexham, Mold, and Connah's Quay Railway (Additional Capital).
13 Feb. 12. Wrexham, Mold, and Connah's Quay Railway (Additional Powers).
13 Feb. 13. Wrexham, Mold, and Connah's Quay Railway (Extensions).
13 Feb. 14. Wrexham, Mold, and Connah's Quay Railway (New Lines).

Group 10.

1. Birkenhead and Liverpool Junction Railway.
2. Birkenhead and Liverpool Railways.
20 Feb. 3. Craven Junction Railway.
13 Feb. 4. Fleetwood, Preston, and West Riding Junction Railway.
26 Feb. 5. Heysham Pier Company (Railways).
13 Feb. 6. Lancashire and Yorkshire Railway (Extension of Time, &c.)
7. Lancashire Union Railways.
13 Feb. 8. London and North Western Railway (New Works, &c.)
14 Feb. 9. Manchester, Sheffield, and Lincolnshire (Central Station and Lines).
14 Feb. 10. Manchester, Sheffield, and Lincolnshire Railway (Liverpool Extension).
11. Mersey Pneumatic Railway.
13 Feb. 12. Shrewsbury and Potteries Junction Railway.

Group 11.

20 Feb. 1. Hexham and Allendale.
13 Feb. 2. Merrybent and Darlington Railway.
13 Feb. 3. North Eastern Railway (Durham New Lines, &c.)
14 Feb. 4. North Eastern Railway (Gilling, Helmsley, and Pickering Branch).
14 Feb. 5. North Eastern Railway (Leeds and Wetherby Branch).
13 Feb. 6. North Eastern Railway (Yorkshire New Lines, &c.)
7. Skipton and Ilkley Railway.
8. Skipton and Wharfdale Railway.

FIRST REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

Ordered, by The House of Commons, *to be Printed,*
26 *February* 1866.

SECOND REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

The General Committee on Railway and Canal Bills have made the following alterations in the Groups already formed, and have formed the following Bills into Groups, and have agreed to report the same to The House:—

The Mid-Kent and South Eastern Railway Companies Bill
is taken out of Group 2, and added to Group 3.

The South Eastern Railway (London, Croydon, and Caterham Junction Railways) Bill
is taken out of Group 3, and added to Group 1A.

The South Eastern Railway Bill
is taken out of Group 1A, and added to Group 3.

The following Bills are taken out of Group 4, and added to Group 5:

Andover, Radstock, and Bristol Railway.
Berks and Hants Extension Railway.
Bridport, Lyme, and South Coast Railway.
Castle Carey and Langport Railway.
Salisbury and Dorset Junction Railway.

The Shrewsbury and North Wales Railway (Meifod Valley Extension, &c.) Bill
is taken out of Croup 8, and added to Group 10.

Group 1 is divided into two Groups, viz.:

Group 1.

Read 2°	
26 Feb.	1. Barnet, Hendon, and Midland Junction Railway.
14 Feb.	2. East London Eastern Extension Railway.
13 Feb.	3. Edgware, Highgate, and London Railway.
21 Feb.	4. Great Eastern Railway (Alexandra Park Branches).
13 Feb.	5. Great Northern Railway (Potter's Bar, Barnet, and Hendon).
19 Feb.	6. Hampstead, Highgate, and Charing Cross Railway.
14 Feb.	7. Hounslow and Metropolitan Railway.
	8. Metropolitan and Richmond Railway.
26 Feb.	9. Metropolitan District Railway.
13 Feb.	10. Metropolitan Railway (Additional Powers).
21 Feb.	11. Muswell Hill Estate and Railways.

Read 2°	
15 Feb.	12. North Metropolitan Railway.
5 Mar.	13. North Western and Charing Cross Railway.
26 Feb.	14. Tottenham and Hampstead Junction Railway.
12. Mar.	15. Watford and Edgware Junction Railway.

Group 1A.

14 Mar.	1. Brixton, Clapham, and Balham Extension Railways.
12 Mar.	2. City, Kingston, and Richmond Railway.
19 Feb.	3. Croydon, Mitcham, and Kingston Railway.
	4. Crystal Palace and South London Junction Railway.
14 Feb.	5. East London Railway (South Western Extension).
	6. Kingston and Epsom Railway.
28 Feb.	7. London, Chatham and Dover, and South Eastern (Kennington, Clapham and Brixton) Railways.
	8. London, Chatham and Dover Railway (New Lines, &c.)
14 Feb.	9. London, Chatham and Dover Railway (Various Powers).
26 Feb.	10. London and South Western Railway (Additional Powers).
	11. South Eastern Railway (London, Croydon and Caterham Junction Railway).

Group 12.

19 Feb.	1. Bedford and Northampton Railway.
21 Feb.	2. Brampton and Longtown Railway.
27 Feb.	3. Colnbrook Railways.
19 Feb.	4. East and West Junction Railway (Capital).
12 Mar.	5. East and West Junction Railway (Hitchin Extension).
19 Feb.	6. East and West Junction Railway (Southam Extension).
14 Feb.	7. Great Northern Railway (Hertford to Stevenage).
26 Feb.	8. Hemel Hempsted and London and North Western Railway.
19 Feb.	9. London and North Western and Cockermouth and Workington Railway Companies.
13 Feb.	10. London and North Western and Whitehaven Junction Railway Companies.
13 Feb.	11. Maryport and Carlisle Railway.
14 Feb.	12. Midland Railway (Settle to Carlisle).
13 Feb.	13. Newport Pagnell Railway.
19 Feb.	14. Southam Railway.
19 Feb.	15. Uxbridge and Rickmansworth Railway.
12 Mar.	16. West Drayton and Staines Railway.
26 Feb.	17. Wycombe Railway.

Group 13.

26 Feb.	1. Great Eastern, Great Northern and Manchester, Sheffield and Lincolnshire Railway Companies.
19 Feb.	2. Great Northern and Great Eastern Railway Companies Arrangements (Spalding to Lincoln).
21 Feb.	3. Great Northern Railway (Additional Powers).
19 Feb.	4. Huddersfield and Halifax Railway.
13 Feb.	5. Lancashire and Yorkshire Railway (West Riding Branches, &c.)
14 Feb.	6. Manchester, Sheffield, and Lincolnshire, and Great Eastern Railway Companies.
19 Feb.	7. South Yorkshire Railway.
20 Feb.	8. West Riding and Grimsby Railway (Transfer).
	9. Worksop and Doncaster Railway.

Group 14.

Read 2°	
19 Feb.	1. Birmingham and Sutton Coldfield Extension Railway.
13 Feb.	2. Cannock Chase and Wolverhampton Railway (Hednesford Extension).
13 Feb.	3. Cannock Chase and Wolverhampton Railway (Midland Railway Extension).
13 Feb.	4. Cannock Chase Railway Extension.
13 Feb.	5. Coventry and Midland Junction Railway.
13 Feb.	6. Drayton Junction Railway (Extension).
5 Mar.	7. Halesowen and Bromsgrove Branch Railways.
14 Feb.	8. Harborne Railway.
19 Feb.	9. London and North Western and Midland Counties Coal Fields Railway.
26 Feb.	10. Longton, Adderley Green, and Bucknall Railway.
26 Feb.	11. Midland Railway (Additional Powers).
14 Feb.	12. Midland Railway (Ashby and Nuneaton, &c.)
14 Feb.	13. Midland Railway (Branches, &c.)
	14. Midland Railway (South Staffordshire Extensions).
13 Feb.	15. South Staffordshire Railway.
19 Feb.	16. Stourbridge Railway.
14 Feb.	17. West Bromwich and Walsall Railway.
12 Mar.	18. Wolverhampton and Walsall Railway (Deviations).
	19. Wolverhampton and Walsall Railway (Extension).

Group 15.

	1. Blyth Valley Railway.
19 Feb.	2. East Norfolk Railway.
21 Feb.	3. Great Eastern Railway (Additional Powers).
26 Feb.	4. Great Yarmouth Fish Wharves and Tramways.
	5. Great Yarmouth Haven, Port and Rivers.
12 Mar.	6. Louth and Lincoln Railway.
13 Feb.	7. Lynn and Sutton Bridge Railway (Works at King's Lynn).
13 Feb.	8. Lynn and Sutton Bridge, Spalding and Bourn, and Norwich and Spalding Railway Companies.
13 Feb.	9. Manchester, Sheffield, and Lincolnshire Railway (Additional Powers).
14 Feb.	10. Manchester, Sheffield, and Lincolnshire Railway (New Lines).
19 Feb.	11. North Walsham and Dilham Canal.
20 Feb.	12. Peterborough, Wisbeach, and Sutton Railway.
13 Feb.	13. Spalding and Bourn Railway.
14 Feb.	14. Thetford and Wotton Railway.
26 Feb.	15. Thorpe and Great Clacton Railway and Pier.
6 Mar.	16. Wensum Valley Railway.
14 Feb.	17. Wivenhoe and Brightlingsea Railway.

Group 16.

15 Feb.	1. Barry Railway (Penarth and Cardiff Extension).
13 Feb.	2. Brynmawr and Blaenavon Railway.
13 Feb.	3. Bute Docks, Cardiff.
13 Feb.	4. Cambrian and other Railway Companies (Amalgamation, &c.)
13 Feb.	5. Cambrian Railways (New Works).
13 Feb.	6. Cambrian Railways (Steamboats).
12 Mar.	7. Carmarthen and Cardigan Railway.
12 Mar.	8. Great Western Railway.
6 Mar.	9. Laugharne Railway.

Read 2°

19 Feb. 10. Llanelly Railway and Dock.
12 Mar. 11. Merthyr, Tredegar, and Abergavenny Railway.
26 Feb. 12. Mid-Wales Railway.
13 Feb. 13. Mold and Denbigh Junction Railway (Branches, &c.)
13 Feb. 14. Pembroke and Tenby Railway.
13 Feb. 15. Swansea and Clydach Railway.
5 Mar. 16. Swansea Union Railway.
19 Feb. 17. Swansea Vale Railway.
14 Feb. 18. Vale of Llangollen, Llangollen and Corwen, &c. Railway Companies.
19. Vale of Towy Railway.

Group 17.

13 Feb. 1. Aberdare and Central Wales Junction Railway.
2. Aberdare Northern Railway.
28 Feb. 3. Aberdare Valley and Caerphilly Junction Railway.
4. Brecon and Landovery Junction Railway.
5. Brecon and Merthyr Tydfil Junction Railway (Amalgamations).
13 Feb. 6. Brecon and Merthyr Tydfil Junction Railway (Northern Lines).
5 Mar. 7. Brecon and Merthyr Tydfil Junction Railway (Southern Lines).
28 Feb. 8. Ely Valley and Vale of Neath Junction Railway.
19 Feb. 9. Ely Valley Railway.
13 Feb. 10. Llantrissant and Taff Vale Junction Railway.
26 Feb. 11. Llynvi Valley and Ogmore Valley Railway Companies.
26 Feb. 12. Llynvi Valley Railway.
21 Feb. 13. Neath and Brecon Railway, and other Companies.
13 Feb. 14. Ogmore Valley Railways (No. 1).
13 Feb. 15. Ogmore Valley Railways (No. 2).
13 Mar. 16. Rhymney Railway.
13 Feb. 17. Vale of Crickhowell Railway.
13 Feb. 18. Vale of Neath Railway (Transfer, &c.)

Group 18.

1. East Strathmore Railway.
26 Feb. 2. Great North of Scotland Railway.
20 Feb. 3. Highland Railway.
4. Bo'ness, Grangemouth, and South Alloa Junction Railway.
13 Feb. 5. Caledonian and Scottish North Eastern Railway Companies.
14 Feb. 6. Caledonian Railway (Corstorphine Junction).
7. Caledonian Railway (Edinburgh and Larbert Junction Railway and Branches).
14 Feb. 8. Caledonian Railway (Edinburgh Station).
21 Feb. 9. Devon Valley and North British Railway Companies (Arrangements).
10. Esk Valley Railway.
14 Feb. 11. Forth and Clyde Junction and Caledonian Railway Companies.
19 Feb. 12. Forth and Clyde Junction and North British Railway Companies.
26 Feb. 13. North British and Bridge of Allan Railway.
20 Feb. 14. North British and Edinburgh and Bathgate Railway Companies.
19 Feb. 15. North British and Leadburn, Linton, and Dolphinton Railway Companies.
19 Feb. 16. North British Railway (Camps, &c. Branches).

Read 2°

21 Feb. 17. North British Railway (New Works, &c.).
19 Feb. 18. North British Railway (St. Margaret's Diversion).
21 Feb. 19. North British Railway (Stirling, &c. Branches).
26 Feb. 20. North British (Tay Bridge) Railway.

Group 19.

20 Feb. 1. Ayr Harbour.
26 Feb. 2. Burntisland Harbour and Dock.
13 Feb. 3. Caledonian Railway (Greenock and Gourock Extensions).
19 Feb. 4. Caledonian Railway (Lanarkshire, &c. Branches).
19 Feb. 5. Forth and Clyde Navigation.
12 Mar. 6. Glasgow and South Western Railway (Additional Powers).
14 Feb. 7. Glasgow and South Western Railway (Ayrshire, &c. Lines).
19 Feb. 8. Greenock and Ayrshire Railway.
21 Feb. 9. North British Railway (Coatbridge, &c. Branches).
26 Feb. 10. North British Railway (Glasgow Branches).
21 Feb. 11. North British Railway (Wishaw, &c. Branches).

Group 20.

28 Feb. 1. Belfast Central Railway (Belfast Corporation).
23 Feb. 2. Great Northern and Western (of Ireland) Railway.
19 Feb. 3. Waterford and Limerick Railway (Arrangements).
4. Waterford and Limerick Railway (Extension).
12 Mar. 5. West Cork, Cork and Bandon, &c. Direct Railways.

SECOND REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

Ordered, by The House of Commons, *to be Printed,*
15 *March* 1866.

69—I.

Under 1 *oz.*

THIRD REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

The General Committee on Railway and Canal Bills have made the following alteration in the Groups already formed, and have agreed to report the same to The House:—

The Bristol and North Somerset Railway (Southern Extension) Bill is taken out of Group 5 and added to Group 16.

THIRD REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

Ordered, by The House of Commons, *to be Printed*,
25 *April* 1866.

69—II.

FOURTH REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

The General Committee on Railway and Canal Bills have made the following alteration in the Groups already formed, and have agreed to report the same to The House:—

Group 18 is divided into two Groups, viz.:—

Group 18.

1. Caledonian and Scottish North Eastern Railway Companies.
2. Forth and Clyde Junction and Caledonian Railway Companies.
3. Forth and Clyde Junction and North British Railway Companies.
4. Highland Railway.
5. Great North of Scotland Railway.
6. North British and Bridge of Allan Railway.
7. North British (Tay Bridge) Railway.
8. Bo'ness, Grangemouth and South Alloa Junction Railway.

Group 18A.

1. Caledonian Railway (Edinburgh Station).
2. Caledonian Railway (Corstorphine Junction).
3. North British and Leadburn, Linton and Dolphinton Railway Companies.
4. North British Railway (St. Margaret's Diversion).
5. North British (New Works, &c.).
6. North British Railway (Stirling, &c., Branches).
7. North British and Edinburgh and Bathgate Railway Companies.
8. Devon Valley and North British Railway Companies (Arrangements).
9. North British Railway (Camps, &c., Branches).

FOURTH REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

Ordered, by The House of Commons, *to be Printed*,
18 *May* 1866.

69—III.

SIXTH REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

The General Committee on Railway and Canal Bills have made the following alterations in the Groups already formed, and have agreed to report the same to The House:—

The following Bills are taken out of Group 3, and formed into Group 3A:

London, Brighton, and South Coast Railway (St. Leonard's and Hastings Lines).
London, Brighton, and South Coast Railway (Various Powers).
South Eastern Railway.

The following Bills are taken out of Group 18, and added to Group 20:

Great North of Scotland Railway.
North British and Bridge of Allan Railway.
Bo'ness, Grangemouth, and South Alloa Junction Railway.

SIXTH REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

Ordered, by The House of Commons, *to be Printed,*
8 *June* 1866.

SEVENTH REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

The General Committee on Railway and Canal Bills have made the following alterations in the Groups already formed, and have agreed to report the same to The House:—

The North British (Tay Bridge) Railway Bill is taken out of Group 18, and added to Group 14.

SEVENTH REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

Ordered, by The House of Commons, *to be Printed*,
18 *June* 1866.

EIGHTH REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

The General Committee on Railway and Canal Bills have made the following Alterations in the Groups already formed, and have agreed to report the same to The House:

The following Bills are taken out of Group 20, and formed into Group 20A:

Waterford, New Ross, and Wexford Junction Railway [*Lords*].
Dublin Trunk Connecting Railway [*Lords*].

EIGHTH REPORT

FROM THE

GENERAL COMMITTEE

ON

RAILWAY AND CANAL BILLS.

Ordered, by The House of Commons, *to be Printed,*
5 July 1866.

SPECIAL

REPORT

FROM THE

SELECT COMMITTEE

ON THE

RAILWAYS (GUARDS' AND PASSENGERS' COMMUNICATION) BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed*,
2 *August* 1866.

Wednesday, 25th April 1866.

Ordered, THAT the Railways (Guards' and Passengers' Communication) Bill, be committed to a Select Committee.

Wednesday, 18th July 1866.

Committee nominated of,—

Mr. Henry Brinsley Sheridan.	Mr. Sherriff.
Captain Stacpoole.	Colonel Barttelot.
Viscount Milton.	Viscount Galway.
Captain Meller.	Lord Richard Grosvenor.
Mr. O'Beirne.	Sir Stafford Northcote.
Colonel Packe.	Mr. Milner Gibson.
Mr. Watkin.	

Ordered, THAT Five be the Quorum of the Committee.

Thursday, 2nd August 1866.

Ordered, THAT the Committee have leave to make a Special Report

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REPORT - - - - - - - - - - - - p. iii

PROCEEDINGS OF THE COMMITTEE - - - - - - p. iv

SPECIAL REPORT.

THE SELECT COMMITTEE to whom the RAILWAYS (GUARDS' and PASSENGERS' COMMUNICATION) Bill was referred;—HAVE considered the said Bill, which they have agreed to report to the House, without Amendment; and have agreed to the following SPECIAL REPORT:

YOUR COMMITTEE think it highly desirable that there should be a communication between the Passengers and Guards on Railways; but in consequence of the late period of the Session, they suggest that the Bill for this object should be postponed till the beginning of the next Session of Parliament, and hope that in the meantime the Railway Companies will use their best exertions to carry out the suggested communication between Guards and Passengers.

2 August 1866.

PROCEEDINGS OF THE COMMITTEE.

Wednesday, 25*th July* 1866.

MEMBERS PRESENT:

Mr. Henry Brinsley Sheridan.	Viscount Galway.
Sir Stafford Northcote.	Captain Stacpoole.
Colonel Barttelot.	Lord Richard Gresvenor.

Mr. Sheridan was called to the Chair.

The Committee deliberated.

[Adjourned to Monday, at Three o'clock.

Monday, 30*th July* 1866.

MEMBERS PRESENT:

Mr. SHERIDAN in the Chair.

Captain Stacpoole.	Captain Meller.
Mr. Watkin.	Mr. O'Beirne.
Sir Stafford Northcote.	Mr. Sherriff.
Viscount Galway.	Colonel Barttlelot.

The Committee deliberated.

Motion made, and Question proposed, "That it is expedient to enable the Board of Trade to order the provision of some means of communication (in certain cases) between the passengers travelling by Railways, and the guards of passenger trains; that considering the late period of the Session it is now inexpedient to do more than report their Resolution to the House, with a recommendation that the Board of Trade introduce a Bill in the sense of the above Resolution next Session."—(Mr. *Watkin.*)—Amendment proposed, to leave out all the words after the word "That" in order to add the words "this Committee think it highly desirable that there should be a communication between the passengers and the guards on Railways, but in consequence of the late period of the Session, suggest, that the Bill for this object should be postponed till the beginning of the next Session of Parliament, and hope, that in the meantime, the Railway Companies will use their best exertions to carry out the suggested communication between guards and passengers"—(Viscount *Galway*), instead thereof.—Question put, That the words proposed to be left out stand part of the Question.—The Committee divided:

Ayes, 3.	Noes, 5.
Mr. O'Beirne.	Colonel Barttelot.
Captain Stacpoole.	Viscount Galway.
Mr. Watkin.	Captain Meller.
	Sir S. Northcote.
	Mr. Sherriff.

Words added.—Main question, as amended, put, and agreed to.

Resolved, That this Committee think it highly desirable that there should be a communication between the passengers and guards on railways, but in consequence of the late period of the Session, suggest, that the Bill for this object should be postponed till the beginning of the next Sesson of Parliament, and hope, that in the meantime the Railway Companies will use their best exertions to carry out the suggested communication between guards and passengers.

Ordered, to report the said Resolution to the House.

Ordered, to report the Bill, without Amendment.

SPECIAL

REPORT

FROM THE

SELECT COMMITTEE

ON THE

RAILWAYS (GUARDS' AND PASSENGERS' COMMUNICATION) BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed,*
2 *August* 1866.

465

Under 1 *oz.*

REPORT

FROM THE

SELECT COMMITTEE

ON THE

SHANNON RIVER;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
25 *April* 1866.

Monday, 19*th March* 1866.

Ordered, THAT a Select Committee be appointed to inquire into the manner in which the Drainage and Navigation of the River Shannon has been carried out under the direction of Her Majesty's Government, and to report what steps should be taken to complete the works for which a compulsory levy of 300,000 *l.* has been made on the adjoining counties:—

Committee nominated of—

Colonel French.	Mr. Dillon.
Mr. Childers.	Mr. Laird.
Mr. William Ormsby Gore.	Mr. Pollard Urquhart.
Mr. Acland.	Mr. Dudley Fortescue.
Lord Dunkellin.	Mr. Agar Ellis.
Colonel Vandeleur.	Mr. Cave.
Sir Edward Dering.	Lord Burghley.
Sir William Jolliffe.	

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the Committee.

Wednesday, 25*th April*, 1866.

Ordered, THAT the Report of the Select Committee on Shannon River (1865), be referred to the Committee.

Ordered, THAT the Committee have power to report their Observations, with the Minutes of Evidence taken before them, to the House.

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REPORT.

THE SELECT COMMITTEE appointed to inquire into the manner in which the DRAINAGE and NAVIGATION of the RIVER SHANNON have been carried out under the direction of Her Majesty's Government, and to report what steps should be taken to complete the Works for which a compulsory levy of 300,000 *l.* has been made on the adjoining Counties;——HAVE considered the Matters to them referred, and have agreed to the following REPORT:

1. YOUR Committee have had before them the Report of the Select Committee of 1865, and the Evidence received by it, and they have further examined Mr. Kelly, the County Surveyor of Roscommon.

2. Mr. Childers, a Member of your Committee, however, having called the attention of your Committee to the Treasury Letter of 28th March 1865, on the subject of the works left unfinished on the River Shannon, and having stated that the course indicated in that letter, and recommended by the Committee of the House of Lords in 1865, was being carried out, that is to say, that Mr. Bateman on the part of the Treasury, and Mr. Lynam on the part of the landed proprietors and others interested, had been instructed to reconsider the engineering portion of the question, the valuation of the benefit to the lands affected having been meanwhile taken in hand, your Committee are of opinion that it would not be expedient to prosecute further the inquiry committed to them until the reports of the engineers have been received.

3. The subjects of drainage and navigation are so mixed up, as regards the River Shannon, that the further engineering examination and Report now ordered can scarcely fail to facilitate the inquiries of your Committee.

4. It is expected that the reports of Mr. Bateman and Mr. Lynam will be made in the course of the present year, and your Committee recommend that the inquiry they have commenced should be renewed at an early period of the next Session of Parliament.

PROCEEDINGS OF THE COMMITTEE.

Thursday, 12*th April* 1866.

MEMBERS PRESENT:

Colonel FRENCH called to the Chair.

Mr. Cave.	Mr. Dillon.
Colonel French.	Mr. Dudley Fortescue.
Mr. Childers.	Sir William Jolliffe.
Lord Burghley.	

The Committee deliberated.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 19*th April* 1866.

MEMBERS PRESENT:

Colonel FRENCH in the Chair.

Sir William Jolliffe.	Lord Dunkellin.
Mr. Dudley Fortescue.	Mr. Pollard Urquhart.
Colonel Vandeleur.	Lord Burghley.
Mr. Dillon.	Mr. Laird.
Mr. Ormsby Gore.	

Mr. *John Kelly* examined.

[Adjourned to Monday next, at Three o'clock.

Monday, 23*d April* 1866.

MEMBERS PRESENT:

Colonel FRENCH in the Chair.

Colonel Vandeleur.	Mr. Dillon.
Mr. Agar Ellis.	Mr. Laird.
Mr. Ormsby Gore.	Mr. Acland.
Mr. Childers.	

Mr. Kelly handed in a Report on the Shannon River (*Vide* Appendix).

Draft Report proposed by Mr. Childers read a first time, second time, and agreed to.

Ordered to Report, together with the Minutes of Evidence.

EXPENSES OF WITNESSES.

Name of Witness.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Expenses of Journey to London and back.	Allowance during Absence from Home.	Total Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
John Kelly - - -	Civil Engineer -	Roscommon -	9	6 10 –	28 7 –	34 17 –
					Total - - - £.	34 17 –

MINUTES OF EVIDENCE.

Thursday, 19*th April* 1866.

MEMBERS PRESENT:

Lord Burghley.
Mr. Childers.
Mr. Dillon.
Lord Dunkellin.
Mr. Dudley Fortescue.
Mr. William Ormsby Gore.
Sir William Jolliffe.
Mr. Laird.
Colonel Vandeleur.

COLONEL FRENCH, IN THE CHAIR.

Mr. JOHN KELLY, called in; and Examined.

1. *Chairman.*] YOU are a Civil Engineer and County Surveyor of Roscommon?—Yes.

2. You have been before this Committee which sat during the last Parliament?—I believe I was the last witness.

3. Since then, have you taken any steps to make yourself more accurately acquainted with the state of the river, and more certain of facts which you then generally gave as to the works being executed, or not being executed, since that time?—I have gone over the works.

4. Have you had to prepare, by the direction of the Grand Jury of the county of Roscommon, a map, pointing out all the circumstances connected with the river?—Yes; this is the map I made for the Grand Jury (*producing it*).

5. I believe that your knowledge of the interests of the county of Roscommon are entirely confined to the upper part of the river?—To the division from near Meelick, up to Lough Allen, to the head of the river.

6. Independently of this inquiry, how long have you known the state of the River Shannon?—Long before any of the works were executed upon it; long before any of the Shannon Commissioners' Acts were passed. I have known it for 30 years.

7. Before any work was commenced?—Before any work was commenced, or any Act of Parliament passed.

8. You have examined rather accurately, I suppose, the different reports made to Parliament by the Commissioners on the improvement of the drainage and navigation of the River Shannon?—I think I have read them all, except those relative to the disbursement of the money.

9. Can you explain clearly to the Committee what works were originally proposed by the Commissioners, and which have not been executed at all, or have been imperfectly executed; and when I say "imperfectly" I mean not in accordance with their plans?—Yes; I know them all, as far as I have mentioned, as far down as Meelick from the top of the river, but I do not go any further.

10. You can state whether the promises originally held out by the Commissioners as to the benefit which would be conferred upon the different counties have been carried out, and if so, how far?—The statements of the reports are, that navigation was to be given from Lough Allen, all the way down to Limerick. I could not speak further than I know actually, because I was instructed by the county to see to the state of affairs on the Shannon, as far as their county bordered upon it; therefore I am not prepared to speak of the Shannon works any further down than Meelick.

11. You prepared a report for the Grand Jury of Roscommon relating to it, did you not?—Yes.

12. Mr. *Childers.*] Was it printed for the Grand Jury?—No.

13. Have you a copy of the report?—I have a rough draft of it.

14. *Chairman.*] That portion of the river that you call the Upper Shannon comprises everything relating to the two highest-taxed counties, Leitrim and Roscommon?—It does. It might come better from me to explain it in a short way. This is not a complete report that can be printed or put into shape; I must explain to you that it is not so in consequence of my not being able to get at all the documents necessary to understand the disbursement accounts.

15. Is it your opinion that the promises originally held out have been fulfilled?—They have not.

16. Can you state to the Committee generally your opinion about a certain portion of the works?—Yes; if I begin at Lough Allen, and follow the river

Mr. *J. Kelly.*

19 April 1866.

river down, that will be the easier way to understand it. There was to have been a bar to keep the water of Lough Allen to a certain level. The green lines on this map show what is called the rain basin, an extent of country that throws its water into the lake; it is a mountain country, and the water comes very suddenly into that lake. The original reports provided for an overfall or bar at the lower mouth of the lake for the purpose of adjusting the water, and letting it off more easily; that has not been done, and the consequence is, that the water comes off too freely after heavy rains, and affects the whole river.

17. Lough Allen is the district in which all the iron works and iron mines are situated?—Yes, it is all a mining country, about Lough Allen.

18. The water comes down after wet weather with great rapidity, and accumulates rapidly?—Yes, with very great rapidity.

19. Mr. *Dudley Fortescue.*] What is about the area of Lough Allen?—It is about seven miles long by three miles broad.

20. Mr. *Childers.*] May we take it at 8,000 acres?—Yes. Then from Lough Allen to a place called Battle Bridge, about four miles down, there was an old canal, which was to have been widened and deepened; that has not been done. The locks were to be enlarged; they have not been enlarged. There was a quay to have been built on the verge of Lough Allen, for the retreat of vessels in stormy weather, and that has not been done.

21. Sir *William Jolliffe.*] All those remarks refer to Lough Allen?—Yes, immediately on the boundaries of Lough Allen.

22. Probably we may as well confine ourselves, at this moment, to the question of Lough Allen. As to this overfall or bar to be constructed: was that a work of considerable extent and expense?—It was. I will give you the exact amount of it. For the canal alone it was 4,235 *l.*

23. What was the expense of the bar or overfall?—£. 2,892.

24. What was the effect that was expected from that; was it to regulate the water?—Precisely so. The purport or effect was to keep the water at a certain level of this lough, and to make an impounding of the water when sudden floods come.

25. Was that intended with a view to favour the navigation, and to render the navigation practicable, or was it for the purpose of drainage?—For navigation, I should say.

26. Does the depth of the water in the lakes vary at different seasons of the year?—Very suddenly. When heavy rains come, it fills up very suddenly, because it has a bad outlet.

27. Mr. *Dudley Fortescue.*] To what extent is the depth altered?—I do not know what is its range but I know it rises very rapidly; and as the water flows off, the object of this dam was to bear up the water.

28. What variation is there in the height of the water within the lake?—I have not taken it, and I do not know it; I do not think it has been taken.

29. Does it rise several feet or several inches?—It rises several inches, I should say; it rises sixty from its lowest to its highest; but in its lowest position, in the dry summer weather, there is no water runs down from these mountains, and the evaporation lowers the lakes considerably. Then it was proposed to make a dam, so that it might check the water when the floods should come.

30. It was supposed to check the liability to flooding on that part of the river?—Yes.

31. Lord *Dunkellin.*] Do I understand you to say that none of those works that were contemplated were carried out?—None, so far; 2,892 *l.* was estimated for the Ballintra dam, and the clearing of the river course below it.

32. Mr. *Dudley Fortescue.*] You are speaking now of the dam to the outfall?—Yes; it is called Ballintra and river course, because there was to be a clearance of the river course. That was put in with the amount for making the bar. There is a place called Battle Bridge about four miles down from the lake, where the Lough Allan Canal joins on to the Shannon. There was a basin proposed to be erected or constructed there for the reception of lighters laden with coal, iron, and other produce of this mineral district. It was the original plan that they should pass down this canal, that they should have that harbour to rest in when they passed down this canal. That has not been done; and that there should be a receiving basin for them to collect there before the steamers could take away a lot together, the steam navigation was to come up to Battle Bridge, but no further. At this point the basin was laid out, and the estimate for it and other works at Battle Bridge is 5,581 *l.* I do not read the shillings and pence.

33. Between Battle Bridge and Lough Allen the river was not navigable?—Between Battle Bridge and Lough Allen it was navigable for flat boats, but not for steamers, nor was it intended to be made for steamers.

34. Then was this Lough Allen Canal altogether a new canal?—That was a very ancient canal, but the estimate for clearing out, widening, and deepening Lough Allen Canal is 4,235 *l.*, and that has not been done.

35. *Chairman.*] None of it has been done?—It has been cleared out to a small extent, but there has been no widening or deepening, and no enlarging the chambers for the vessels to pass in the locks. £.4,235 is the estimate here for it, and it is stated at page 10 of the second report.

36. Mr. *Dillon.*] State the figures for the amount of the work at Ballintra?—At Ballintra, or river course, it is 2,892 *l.*

37. That is for the dam?—That is for the dam and a portion of the river course beneath the dam.

38. What is the amount for the basin at Battle Bridge?—£. 5,581 There were two locks and a resting place for lighters between the two loughs. It never was commenced or anything done.

39. *Chairman.*] Proceed with your statement?—There are several small cuttings here and there in the river which I do not take any notice of, although my opinion is they are not worked up to the extent they might be. When they are pretty fair I do not take any notice of them. At Carrick-on-Shannon the bridge was taken down and removed, and the bridge was a very good one.

40. Was there any necessity for taking it down?—None whatever.

41. Is it in evidence, to your knowledge, that the bridge was reported to have been good for the next 150 years?—I do not know much about the evidence, but I tell you it was so.

42. Was it not very difficult to blast; to blow it down?—It took 150 lbs. of gunpowder. In the

the tenth report of the commissioners they state what amount of gunpowder they put into one of the piers of the bridge to blow it down, and my opinion is that it was unnecessary for many years to touch it. I see no benefit derived by it.

43. Mr. *Ormsby Gore.*] Has it benefited the navigation in any way?—I do not think it has.

44. Has it benefited drainage in any way?—It may have done so; but there was quite as much water way in the old bridge as in the new one.

45. *Chairman.*] There was a better water way in the old bridge than there is at present?—I am not prepared to say that. I should like to refer to papers, but I know the bridge to have been very good.

46. Colonel *Vandeleur.*] What was the expense of the new bridge at Carrick-on-Shannon?—I am not aware what the expense was, but I should say about 4,000 *l.* over the sum that was estimated might have been expended upon it. That is what I should guess.

47. Mr. *Childers.*] Only what you would guess?—That is what I should guess, but no further.

48. Mr. *Ormsby Gore.*] Can you give any estimate of the length of the bridge, because that will be some criterion of the expense?—The expense of Carrick-on-Shannon was to have been 8,425 *l.*; and that was to put in a swivel arch in the existing bridge, throwing two of the arches into one.

49. *Chairman.*] Was the swivel arch ever put in?—No.

50. Mr. *Dudley Fortescue.*] Is there anything of the kind in the new bridge?—I beg pardon for a moment. I may make a mistake upon this. Allow me to refer to notes, because I am not quite sure. I will not say positively whether there is not a drawbridge there, but I believe not. I think there is not. I think the boats go through the second arch of the bridge from the town, but that there is no drawbridge in it. There was to have been a harbour at Carrick-on-Shannon.

51. *Chairman.*] Have they commenced it?—There is a little done to it, but not much.

52. They have merely cleaned it out?—Yes, they have cleaned one side of it but the other side of it has not been done, it has not been cut to the depth.

53. Mr. *Dillon.*] State the estimate?—The estimate was 8,425 *l.*, that is for bridge and harbour.

54. It does not state separately what they are?—It does not.

55. Sir *William Jolliffe.*] What was expended?—About 5,000 *l.* might have been expended at Carrick-on-Shannon out of 8,000 *l.*

56. Did that include building the new bridge?—Yes.

57. Mr. *Dillon.*] Leaving the difference of 3,480 *l.*, I think?—Something like that.

58. Go on now to James Town canal. You had better first state the estimate for the James Town canal?—The estimate for the Jamestown canal was 29,227 *l.*

59. State what has been done?—The canal is made and the locks, but there were two swivel bridges or drawbridges to have been made there, which were not put up. There are two lines of road across the canal, and according to the original reports there ought to be a bascule bridge or drawbridge across each of these two roads. The drawbridges have not been put up.

60. Mr. *Dudley Fortescue.*] Are there no bridges across?—Yes, new stone bridges are built there.

61. Sir *William Jolliffe.*] Do the stone bridges impede the navigation?—Yes, I should say so, because they must construct their vessels to lower the funnels; it is very unsuited to that style of navigation. It does for small places, short river reaches where they have an immediate place to run into.

62. Mr. *Dillon.*] Steamers with funnels constructed to lower will go under the bridges?—They will.

63. Is there anything else except the absence of those drawbridges with respect to the canal you have to mention?—No, I do not see any other thing objectionable in it or contrary to the state of the original design.

64. How do you estimate the amounts. Do you think that 29,300 *l.* has been expended?—There is a drawback upon that, certainly. I estimate 3,000 *l.* as the amount of money which has been saved by not putting up those bridges.

65. Mr. *Ormsby Gore.*] You have not said anything about Jamestown weir yet?—The Jamestown weir was not built as originally intended here. The plan given here was for a new weir at Jamestown, but instead of that the old mill dam has been constructed into a weir.

66. Have they not extended the weir to a greater length?—They have.

67. And made the outfall much more rapid there?—The flushing down it is very strong at Jamestown, and a great deal more than the discharge at Rooskey. The proportionate discharge at Rooskey is not in conformity with the influx of water at Jamestown.

68. It was necessary, to make efficient works, to have regulated both weirs in proportion, was it not?—Certainly, that was the intention, and that was the object of those plans. The plans were, in my opinion, very soundly laid down in the beginning, but they were deviated from.

69. Can you give me the dimensions of the discharge-weir at Jamestown?—I have not the paper just now that would give you exactly the dimensions, but I know the dimensions at Roosky are less than the dimensions at Jamestown for the weir above it.

70. It ought to have been longer at Rooskey?—It ought to have been longer at Rooskey, and the discharge-weir at Rooskey is not in the position of the original scheme laid down for making it. It was considerably above the town of Rooskey where these plans show the position of the weir ought to be at the discharge of the lakes of Lough Bodery and Lough Bofin.

71. You consider that the Rooskey weir is a very inadequate weir for the duty it has to perform?—No doubt it is; and it is 100 feet less than the weir that was projected by these plans. The question was put to me at the last meeting of the Committee. The discharging power of the present Rooskey weir is 100 feet less than the discharging power of the weir laid down by these plans.

72. Colonel *Vandeleur.*] It causes considerable flooding?—Yes, it assists, with other things, in causing that.

73. *Chairman.*] Then the deviation has not been an improvement?—It has not, but a deterioration to the discharging power of those weirs.

Mr. J. Kelly.

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The next place that we meet with on the Shannon is Derrycarne; at Derrycarne the cut ought to be 140 feet.

74. Lord *Dunkellin.*] Is Derrycarne between Jamestown and Rooskey?—There is a large chain of lakes here (*pointing to the Map*). Here is Jamestown; then we come down a lake called Lough Bofin. There is a narrow between Lough Bofin and Lough Boderg called Derrycarne; that was a hard clay gravelly piece, which it was necessary for the Commissioners to cut through to let the steamers run. The cut, according to their plans, should be 140 feet wide and 6 feet 6 deep. I measured the cut, and it is 80 feet wide and 5 feet deep.

75. Mr. *Dillon.*] Can you give us an estimate of the difference; that is, what was saved by doing it in a less efficient manner?—I think 300*l.*; that is my recollection. There was 300*l.* less laid out upon it than what there should have been; 300*l.* would not do it now, because the unwatering would come to a great sum.

76. Colonel *Vandeleur.*] They have made it 80 feet wide in place of 140?—Yes.

77. And 5 feet deep in place of 6 feet 6?—Yes.

78. Lord *Dunkellin.*] Is the 5 feet now sufficient for the navigation that goes on there?—They run the steamers up there; I believe they might do it.

79. Mr. *Ormsby Gore.*] Do you know how often those steamers run now?—They run very seldom. There is only one, from Limerick, that comes up to Boyle with flour.

80. How often does that one come there?—Once a fortnight, I should say, or once a month.

81. *Chairman.*] £.500 would not do that work at present?—No.

82. They would have to draw all the water off from those lakes, as it was done originally?—They would have to bank out the water, and the difficulty of doing that would cause an expense of 200*l.* itself.

83. Lord *Dunkellin.*] As to this five-feet level, which you say it is now, does the river keep at that part consistent with that level?—Yes, the embankment built across the river at Rooskey holds back the water, so as to keep the level of five feet there.

84. Does the effect of keeping back the water throw it much over the adjacent lands, and does the water that is held back flow over the adjacent lands and swamp the lands?—It does; it flows over about 35 miles of coast.

85. In fact, there are large floods?—Yes, it causes enormous flooding in that part of the country.

86. Mr. *Ormsby Gore.*] Do you know the difference between the flood height and the lowest level at Derrycarne?—At Derrycarne, and on the Carnadoe waters which adjoin it, they do not lower in the summer to within about 1 foot 3 inches of what they used to do before the Commissioners commenced, and there are very great complaints in that particular district about the state of the floods of the country. I believe more damage was done there than on any other part of the Shannon in proportion to the extent of country. The Rooskey Level affects Derrycarne, and affects the lakes which run to Strokestown, the lakes of Kilglass and Grange, and a large quantity of lakes. There is a peculiarity which I think I mentioned to the Committee here last year, that when the waters are coming down from Lough Allen, they come down very suddenly. The want of this bar at the outfall of Lough Allen lets it down very quickly, and the bars having been cut about Carrick-on-Shannon and Battle Bridge, have freed the waters of the lakes, and allowed them to come down more rapidly than they would have done in their natural state. The Commissioners have made these places, so as to let down the water very quickly. When you come down to the Carnadoe Bridge and the Derrycarne Level, I have seen myself the waters run the reverse way into those lakes; the barrier put up by the Commissioners at Rooskey, checks the water, and this cut at Derrycarne not being sufficiently wide to discharge the quantity of water that comes down, there are two checks to the water, and the result is, that it rises quickly in the lake called Lough Boderg, and backs up Kilglass Lake, through a bridge called Carnadoe. It goes through that bridge backwards, so to speak, reversing its nature.

87. The current there is so rapid that boats have a difficulty in getting out of the lake into the Shannon, have they not?—At certain times, within one or two days after there is a sudden flood in the mountainous districts.

88. During the rise of the flood?—During the quick rise of the flood, the waters rise so rapidly that the boats have great difficulty in getting in.

89. The whole of these evils might have been prevented if the works originally proposed had been carried out?—Precisely so.

90. *Chairman.*] As to that Carnadoe water, the navigation is proposed to be continued up within two miles of Strokestown?—It was so stated in the original reports, and the original estimates also were pretty freely given for the purpose. Carnadoe water in page 13 of this second report is charged with an estimate of 13,717*l.* There was to have been a swivel bridge, and a navigation into the heart of the county of Roscommon, which has not been done. The bridge built by the Commissioners is only 35 feet span, whilst the bridge with bascules, I think, was to have been 72 feet.

91. Mr. *Dillon.*] Where is Carnadoe?—It is the first creek of water going from the Shannon at Lough Boderg up towards Strokestown, and these large lakes running six miles up into the country were to have been made navigable.

92. Then you come to Derrycarne shortly before you come to Lough Bofin?—Yes, the insufficiency of the cut of Derrycarne at the narrow holds up the water. The bridge built by the Commissioners at Carnadoe does not give as much waterway as the bridge they pulled down. They have given 35 feet waterway for two bridges, each exceeding 30 feet at the top of the lakes, and the consequence on that division is that there is a flooding of greater amount than ever existed before the Commissioners began. That is clear; I stated so before, but I was not prepared to go into the details which I have now gone into. The overfall of Rooskey has been set too high.

93. I think you had not finished as to Carnadoe. Is not that the point from which the proposed canal at Strokestown was to start?—Yes.

94. It would be more convenient for you to tell us the different things as you go down the river?—There was another cut made at a place called Correen, to join the two lakes, the lake of Kilglass with the lake of Grange; there was a navigable

navigable cut to be made there called Carrigeen. The estimate for that was 4,914 *l.*

95. Is that on the way between Carnadoe and Strokestown?—Yes, about half the way. A part of the work has been done. The cut was shaped out and cut, but neither to the breadth or depth, and the necessary clearance by the dredgers of the lake at both ends never was done, so that it is impassible and useless now. In dry weather small fishing boats cannot pass it.

96. What is the estimate for that?—£. 4,914.

97. Before you leave Carnadoe will you tell us this; you said there was work left undone at Carnadoe?—Yes.

98. Tell us the estimate of the work left undone; I want to know what the Commissioners owe to the public?—My estimate for the work done is 500 *l.*, which is a liberal estimate for all that is done at Carrigeen. You deduct 500 *l.* from 4,914 *l.*, which leaves 4,414 *l.* as being unexpended.

99. You made a complaint about something that was left undone at Carnadoe?—The navigation is left impracticable; that is the first thing. Then with regard to the bridge, there has been a bridge built there which is not proportionate to the quantity of water that comes to it. The consequence is that the lakes above the bridge are flooded to a higher extent than they were before the works were commenced. I will give you the dimensions which I have taken out here. The Commissioners' bridge now built is 35 feet span, a plain stone bridge. There were to be built, according to this, a drawbridge of 32 feet span, and two side stone arches of 20 feet each, making 72 feet of waterway. They have given 35 *l.* Now I have the dimensions of the bridge that was there which they have pulled down, and it was 53 feet waterway. The old bridge which they have taken away had 53 feet of discharging power for those lakes.

100. *Chairman.*] That was before any of the drainage under any of the works was commenced?—Yes, this waterway of 53 feet appears to be marked on their own plans.

101. I want you to give us an estimate if you can, a rough estimate if you please, as to the difference between what the work as estimated originally would cost, and the work which has been executed?—At Carnadoe the estimate is 8,803 *l.*

102. You have seen the work at Carnadoe, and I want you, without affecting to be very precise, to tell us what is the difference between the actual expenditure, and the estimated expenditure?—My opinion is, that at Carnadoe there is 4,511 *l.* not expended.

103. Does that include the Carrigeen Cut?—No, they are different estimates.

104. You give about 4,500 *l.*?—There is 4,914 *l.* for Carrigeen. If you take from it 500 *l.* which I say is the full amount of all they have done there, you have 4,414 *l.* unexpended.

105. At Carnadoe?—Yes, at Carnadoe there appears to me to be 4,511 *l.* unexpended. Now at Rooskey the overfall was, according to these plans, to be set at the low summer water level. That is what is stated in the reports, and what the plans proposed. The Rooskey weir, so far as I can ascertain, is set too high by nine inches. Taking the dips on the old lock, which still remain, and comparing these dips with the dips on the new lock now existing, I find that the barrier which is built across the river at Rooskey, stands 9 inches over what their plans show it to be, according to the levels of the existing lock which is there yet. That is my way of dealing with it as to levels, but in practice I went down all those lakes, and I found the country people's remarks agreed exactly with my dips on the barrier at Rooskey, for in the townland of Lacarrow there is a large rock (perhaps as large as that table, or larger), on the brink of which all the country people used to sit fishing in summer. It was a renowned place for catching roach, and fish of that sort. They used to sit there perfectly dry in summer. Their evidence to me is that since the Commissioners have done this there is always a foot of water or more upon that rock. That is about 5 or 6 miles from Roosky on one of the branches; and then again on the other lake at Derrycarne, there is a quay with a siding for letting persons go down steps into the boats in summer. It has steps down, and those steps are used as the water rises. There is a lower step at the quay at Derrycarne, and a man there who has been in the place for a very long time before the Commissioners did their works, and who was there at the building of the quay, told me that when the former proprietor, Mr. Nesbitt, built the quay, always in summer, the lower step was perfectly dry for the people to walk into the boats; but that since the barrier which the Commissioners have erected has been there, that one step has never been known to be dry. That agrees exactly with the remarks made 7 or 8 miles in another direction, and agrees with my own dip on the levels at the fall of Rooskey. The result then is this, that when the water comes rapidly down from Lough Allen and out of those lakes above Boyle, it runs into this narrow lake; it is long and narrow, and has not capacity to hold a quantity of water without its rising. It rises then very rapidly, and the rise in summer is by far the worst for the country people because it catches them in October and September, and it is the September rain that does the damage to meadows and crops; therefore the result is that the 9 inches not having been discharged out of that lake as nature would have discharged it, if the Commissioners had not dammed it up, 9 inches in height is lost to them, and the flood comes on there considerably quicker than it could have done if it had not lost the ponding power in it.

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106. Mr. *Ormsby Gore.*] Is there not a good deal of land in that reach of the river to which the nine inches of level would make a great difference, low-lying land which is only a few inches above the ordinary level of the Shannon?—Yes. There is a great deal of that land cropped, and it was cropped before the Commissioners commenced their work at all, and it is cropped now at a great venture; it is so low on the verge, one foot of water rising will destroy a large tract of country. There is another point as to which I take leave to remark. Since I went to the county of Roscommon there is a new line of road made from the bridge of Rooskey to Killglass. It runs along the verge of the lake above Carnadoe bridge. I laid out that new road, and in doing so kept the new line above the flood mark that was known previously to that period, about 20 years ago. Since the Commissioners put up their dam at Rooskey, that road has been put under water for a great many perches. It is now flooded nearly every winter. At the Mill of Grange the water rises over one foot

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foot higher now than it used to rise previous to the works of the Commissioners.

107. Mr. *Dudley Fortescue.*] Whereabout is that?—At the very top of the lake it is called Grange. I took the levels of the high-water ancient mark, and I took the level of where the miller put a spike in the wall, which I told him to do last winter at the highest at which the flood would get, and I found the difference was 1 foot 4. The old canal at Rooskey was to have been, according to the plans, the line of navigation. The regulating weir was to have been above the town of Rooskey, at the neck of Lough Bofin. The Commissioners built it below the town, and changed the course of the navigation from the canal into the current of the river, which is very injurious to the navigation; the current runs too strongly.

108. *Chairman.*] And also injurious to the traffic?—Decidedly. It affects the whole of that lake country.

109. Colonel *Vandeleur.*] I think they have to raise the land immensely?—They have to raise the ground on each side in that manner, and to fall back with fillings to keep up this water to the particular height.

110. By which a considerable tract of land inside was very much injured?—Not at Rooskey. The banks are rather steep each side there. There is another place, called Tarman, to which I should refer, where the nature of the alterations that were made does affect the country. We are coming down to that now. The line of navigation of the canal, according to the statements of those who navigate the water, was a preferable line to the line that has been taken. There was an island, called Rabbit Island, which was to have been taken away; that stands immediately below the lock at Rooskey, and stands partly in the way of navigation, and in the way of the discharge of the water.

111. Mr. *Ormsby Gore.*] When you say below, do you mean below by the current, or how?—It is below the fall at this place I complain of. It is a large island right below the fall, and the water splits round it on both sides. The plan here shows that it was to have been taken away altogether to give free discharge to the water; even with the present fall it requires to be taken away.

112. *Chairman.*] And has not been touched?—No, it has been edged; the corners of it softened down a little, but the body of the island, which is estimated for, is not touched.

113. Mr. *Dudley Fortescue.*] What is the island, rock, or gravel, or what?—It is gravelly; mere clay; 24,000 *l.* is the estimate for all the works at Rooskey.

114. Mr. *Dillon.*] What is your estimate of what has been done?—It is difficult for me to enter upon that question. I will explain what I mean by that. At Rooskey there is 24,000 *l.* to be laid out. The reports of the Commissioners show that they laid out 31,000 *l.* at Rooskey; but from my knowledge of the place, that 31,000 *l.* is not laid out as directed by these plans, and in a very much worse position, as far as my judgment extends. I do not know what credit you can give them; of course, it is for you.

115. Colonel *Vandeleur.*] What use is made of the old canal?—None at all. The old lock-gate is there, 20 years old; it never was painted; it is rotting to decay, and it is in that position that it is a great temptation to the poor people in the neighbourhood, when they get their lands flooded; they come down with sticks and bars, and so on, and say, "We will knock it out of that." If the old lock-gate was gone it would run off a large quantity of water.

116. It would act as a safety-valve?—Yes, if the Commissioners allow it to run, but they will not. I remember there was likely to be a breach of the peace, and magistrates and police, and every one else, came down, to prevent the people breaking the lock-gate.

117. Mr. *Ormsby Gore.*] They did remove one panel of the gate?—I think they did remove some boards out of it. It has been standing there for some years, doing no duty but keeping back the water.

118. Colonel *Vandeleur.*] Is there any good reason why it should not be used for letting off the additional flood water?—No; it would make an excellent safety-valve for letting off the spare water.

119. There is no difficulty in it?—None at all, if that old gate was removed. In times when the water was high there was this difficulty: when you come down Lough Forbes level, which is the next below it, you might throw on it too much water. When you get one stage of the water off, you must proceed in getting it off at the next point, or else you cannot deal with it.

120. Is there another old canal at Tarman also, which could be equally made available?—Yes.

121. And there is another old canal at Meelick?—Yes, and at Athlone. The Athlone one has been deviated from in the same manner, and except for the mill, could be set off in discharging the water; no doubt of that. All this could be turned very nicely to purpose.

122. Which would be a cheap and simple way of effecting the purpose?—It would, as far as it would go; but I question whether they would be extensive enough to discharge the surplus water.

123. It would go considerably towards that?—It would do a great deal of good.

124. Mr. *Dillon.*] Before you leave Rooskey you have not told us distinctly what the Commissioners have to show in Rooskey for their expenditure of 31,000 *l.* in addition to this weir which is built; that is the only thing, by the way, I have heard they have done there?—They excavated the river course and built a bridge at Rooskey.

125. So that there is something equivalent to the 31,000 *l.*?—I do not think there is; I do not think the work would come to that.

126. *Chairman.*] Have they any authority to build that bridge?—Yes, that is the authorised one.

127. Mr. *Ormsby Gore.*] There was a very bad bridge there before?—Yes; there was a narrow bridge there before.

128. Mr. *Dillon.*] I may assume that you are not prepared to state that they have expended less than 24,000 *l.*, which was the estimated sum at Rooskey?—Well, I suppose so; I did not go into that detail.

129. I am only saying you are not prepared to give evidence to that effect?—No; I am not prepared to give evidence upon it, because it is not put upon the line of navigation on which the original plans went. There is another place further down below Rooskey, called "Cloonen Cox;" the cut is considerably too narrow, and the current runs very strongly in that cut. All the

the navigators that I have had intercourse with complain of it very much.

130. Colonel *Vandeleur.*] Is it sufficient to let the water off?—It is not; it backs the water on the weir at Rooskey; it holds the water back. I think I forgot one thing about Rooskey, and that is about a fishery weir that was constructed immediately below the over-fall. A few yards below the over-fall at Rooskey there is a fishery weir constructed by the Commissioners, which has the effect of throwing back-water on the weir, and preventing its discharging as much as it would do if it was not there.

131. Mr. *Ormsby Gore.*] There is no such weir sanctioned in the plan originally?—No.

132. That is an old eel weir?—That is a new eel weir. I call it a new one because it has been constructed since the Commissioners built the over-fall. They have constructed it and let it.

133. Mr. *Dillon.*] Do they get a rent for it?—They do.

134. Do you know what?—I do not know; I could not get the return of their rental.

135. Mr. *Ormsby Gore.*] Did not the people threaten to pull it down?—That was part of the irruption when they went down to abolish it and open the gate of the old lock.

136. And if the floods occur again a breach of the peace might happen, as it would have happened before, if so influential a magistrate as Captain Hanly had not interfered?—Yes; they would have taken it away, no doubt, but Captain Hanly advised them to take care what they were about, and no doubt it would have been a very injudicious thing to have done, because it would have flooded all the lower land.

137. Mr. *Dillon.*] You were going to give us the estimate of the works contemplated at Cloonen Cox?—There are two cuts taken together in this estimate. There is Cloonen Cox and Cloonfad; the two adjoin each other. The estimate is 6,815 *l.*

138. Tell us what has been done, and what has been spent upon it; what were the works to cost?—They were to cut the bars of Cloonen Cox and Cloonfad; Cloonfad was soft, and easily managed and cut; but Cloonen Cox turned out to be rock, and it was left in an unfinished state, both too narrow and too shallow. I should estimate that 3,000 *l.* was expended out of the 6,800 *l.* Now you come down to Tarmonbarry, that is the next place. At Tarmonbarry, there is an estimate of 14,189 *l.* for the river course, as it is called. You may take, also, the Cloondra Canal along with it, 47,152 *l.* The river course was to have been opened at Tarmonbarry to discharge the surplus water of Lough Forbes. The commissioners did not make the Cloondra Canal for which this 47,152 *l.* was estimated.

139. Describe the course of that canal, if you please?—Lough Forbes is here (*pointing on the Plan*), and the river was to have been cleared out merely to let off the waters of Lough Forbes; and there was to have been a new canal from Cloondra, adjoining the Royal Canal, to Dublin, into Lough Forbes.

140. Mr. *Ormsby Gore.*] You mean the Royal Canal?—The Royal Canal; the intended canal is marked with a red line on this map; the proposed canal is there, and the river was to have been opened from that point down to Tarmonbarry; it was to have been opened and widened, so as to let the flushing of the water pass, and a new canal was to be made there, which was to cost 47,000 *l.* The commissioners did not enter on this canal at all, but they cast the steam navigation in the river itself against the current, and there are enormous difficulties of working.

141. Mr. *Dudley Fortescue.*] Are there any rapids, or anything to prevent navigation along here?—No; here is the steam navigation coming in this way, and there is the rising lock of 8 ft. 4 in. at that place; when you were in that lock you get on in dead water into Lough Forbes; whereas at present the steam has to meet the current of water.

142. Lord *Burghley.*] A strong current, I suppose?—A very strong current. What was intended here was, that the Lough Allen should be accommodated with water carriage to send out the produce of this mountainous country, which is minerals, iron ore, and so on, and in that case this canal came within the level of the Dublin Canal; but there is a fall and a barrier across here of 8 ft. 4 in. At present, when the boats come down through Lough Forbes, they sink in a chamber or lock 8 ft. 4 in.; they have to go across about half a quarter of a mile into this part, and rise 8 ft. 4 in. back again; whereas if the canal had been made, that fall and rise would have been avoided.

143. Is that canal in the original place?—It is.

144. Mr. *Dudley Fortescue.*] That is a sort of rapid there, in fact?—They prevented it from being a rapid by building a barrier across there, and putting a lock there (*pointing on the Plan*); when it is put here it deadens the water; but notwithstanding the deadening of the water, the whole volume is coming so rapidly in winter, that the boats are obstructed very much. If this other plan had been adopted there would have been no current in the canal, it would have been dead water, and they could have gone easier; the great barrier is, that when merchandise and ore is brought down from Lough Allen towards Dublin, which is the principal object of all this expenditure, the boats must come here and fall down 8 ft. 4 in., and afterwards rise up 8 ft. 4 in., to get upon the level of this canal.

145. Lord *Burghley.*] Is this canal on the same level with the river. There seem to be no locks at all?—No, it was to be the same level as that. There was to be an overfall in the river, so as to keep the water at a certain gauge, and so as to keep the fall to the level of this.

146. Mr. *Dudley Fortescue.*] There is a difference of level of 8 feet between this and this (*pointing on the Map*)?—There is the ancient way of going down from Dublin by the Royal Canal. There is a sinking lock at Cloondra, which drops them down into the Shannon. The commissioners were to have enlarged this lock and retained it, and to have given a new piece of canal there on the same level with this; but by the other method they let the boats down to a lower level by 8 ft. 4 in.; and then, when they come up there, they must rise up again.

147. Lord *Burghley.*] The navigation is really on a level with the lock?—It is: 8 ft. 4 in. is the difference between the two. The Shannon is 8 feet lower than this. That is the difference.

148. Mr. *Ormsby Gore.*] Is there not a new bridge built at Tarmanbarry?—Yes, there is.

149. Was that estimated in the original plan?—It was not.

150. Was that built by the commissioners themselves,

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themselves, or did they let it on contract?—I do not know how they did it.

151. *Chairman.*] They built it themselves?—They pulled down the Tarmon bridge, and built a new one.

152. Mr. *Dillon.*] You say they never made any of that Cloondra Canal?—No, they did not.

153. Mr. *Ormsby Gore.*] They might have had just as efficient bridges at less cost, might they not, if they had gone according to contract?—They were to have lowered the arch at Tarmon. Here is the original plan. They were to have lowered the river, and put in two large arches, and cut away this island. They did not do that, but they threw down this, and threw down that, and still the island remains as it was before. Tarmon bridge was to stand; it was a good bridge.

154. Mr. *Dillon.*] Did they take it down?—They did.

155. Colonel *Vandeleur.*] What is the next point?—The weir at Tarmanbarry has not been placed in the position in which these plans fix it. Like Rooskey, it is let down to a lower level, and a great deal of expense was incurred in raising a barrier of 8 ft. 4 in., besides its foundations; and it is raised above the level of the adjoining country on either side. It has got up facing the water at a considerable height above the lands on the other side; and there was a very expensive embankment here, about a mile in length, made to prevent that water from flushing out on the lands.

156. Mr. *Ormsby Gore.*] They raised the weir above the country, and had to dam it on both sides?—They had. They had to run a dam on each side to meet the rising country, and that dam gave way. The water got over it, and sometimes there was a flood, which destroyed the lands, on one side particularly, to a large extent.

157. Do you know to what extent it was flooded?—Perhaps 50 acres or so.

158. Would that have been prevented by the original plan, if they had carried it out?—It was no part of the original plan. The original plan was to make a new canal, and to lower the bed of the river, so as to let off the water; but the scheme hit upon was not to make the canal, and to raise the water in the river, to let the water pass by that artificial measure.

159. In fact, they worked against nature?—Yes, right a-head against it. The result was, that the bank became swamped in the floods, and the water going over its side, destroyed the crops and the land very considerably. The commissioners were then obliged, at the instance of the owner of the land, to make a new cut up through the middle of his land, and side cuts to discharge the water into it. There is a protection, a legal protection, I believe, that such an occurrence is not to take place again. That occasioned a very considerable cost, because those drains must be watched and guarded every year for the protection of a gentleman's estate there—Sir James Mahon.

160. Colonel *Vandeleur.*] What reason had the commissioners for deviating from the original plan?—I cannot account for that. I do not know their reasons, excepting, I believe, the true reasons which strike at the root of all. The money was principally expended below Athlone, and there was not enough in the upper part; it was too tight up; 47,000 *l.*, or a portion of it, was saved by taking this scheme, but the scheme was no part of the original intention. That is as much as I know about Tarmon. The canal is not made, and a new scale is hit upon which is detrimental to the country and very injurious to the navigation.

161. At Tarmon it is a very high weir?—Eight feet six is the dip or fall.

162. It effectually prevented the salmon from going up?—They have been trying from time to time for many years, and I believe they never got a salmon to go up it yet. The force is too strong.

163. Lord *Dunkellin.*] Are there no gaps in it?—Yes, there are gaps in it, but the dash of water is too powerful for them.

164. Mr. *Ormsby Gore.*] Have they not put up a new ladder?—Yes, they have; a very insufficient one.

165. Within the last 12 months?—Within the last 12 months; but it is very insufficient.

166. Colonel *Vandeleur.*] I believe that all the ladders which have been put up by the commissioners are very insufficient?—The Commissioners of Fisheries put it up. I think they could get the fish up very easily if they followed nature a little more, and never minded the ladder; if they made a good pond of 12 feet or so, and an embankment, they could easily get the fish up, give it reach enough. They want to get the fish up stairs too soon.

167. Lord *Dunkellin.*]—What is the next place down the river?—The next place down the river is Lanesborough; there is a quay at Lanesborough which the floods rise over.

168. Do you mean a landing place?—A landing place made of cut stone.

169. *Chairman.*] Have you not seen it with several feet of water over it?—I have seen it sweep away mud which the country people bring by boats to till their land with. I have seen it often all swept away. There is another quay at Derrycarne and at Carnadoe, which the water rises over. Then the next place I have marked is called Correen.

170. Is that the new quay at Lanesborough?—Yes, built by the Shannon Commissioners. At Correen, below Lanesborough, the estimate is 2,470 *l.*

171. Mr. *Dillon.*] Does that include Lanesborough?—No, it is Correen alone.

172. What were they to have done there?—They were to have made a straight sailing cut to avoid a tortuous course, which was in the former navigation.

173. Colonel *Vandeleur.*] Did they do it?—Partly. The cut was to be 154 feet wide, and they cut it 80 feet. That is at Correen, below Lanesborough, on the neck of Lough Ree. It is just at the entrance of Lough Ree; the old sailing course was very tortuous, and was so referred to by the commissioners in their reports. They intended to cut it in a direct line, and went on with the work to a certain extent. The depth was to be 6 ft. 6 in. at low water, gauged by the overfall at Athlone. I visited it one day at Athlone, and I saw the water passed over about half an inch; and the day after I drove up to Correen and took the dip. The dip was 4 ft. 9 in.

174. Four feet nine in the place of 6 ft. 6?—Yes.

175. Mr. *Dudley Fortescue.*] If this does not go the full length it is of no use?—It is made the

the full length, but it is a great deal too narrow and too shallow. It has a very curious result upon the navigation; when the water is low in summer the steamers cannot come by it; there is a want of water. When the water is high in winter they are afraid to get into the cut from the force of the current, and in both instances they adopt the old, ancient cut that existed there in the nature of the river.

176. Mr. *Dillon.*] It is useless, is it?—It is useful at certain times at a medium state of water. If there is water enough in the river to give it 6 ft., they can get on even there, or in a calm in the winter they can get on, but with the least storm, in consequence of not giving the vessel room, they are afraid to strike the paddles against the edges, and they are obliged to go along the old tortuous course, loosing about an hour's time.

177. Some portion of that 2,470*l.* has been expended?—Oh, yes. I do not know how much of it. I could hardly guess it. The only thing is, I take the dip and the breadth, and it is that much difference. It would be a very difficult matter to estimate what would finish it, because it should be in water, and stanked with different ways for working it. In Lough Ree there are a great many shoals, and there were to have been buoys put up to mark those shoals. They have not been put up. There has been a landing place formed at a place called Lecarrow. There is no sum of money in the estimate for forming it. It is stated in the Commissioners' reports that it greatly facilitates the contractors for the bridges and docks of Athlone getting stones from a quarry adjoining it by water, instead of by 10 miles carriage on land.

178. *Chairman.*] Did they use that at all for bringing up material?—They did, they brought the materials down by it on very flat lighters.

179. The greater part of those large stones were brought from land higher up?—They were brought from the quarry of Lecarrow—Mr. Bond's quarry.

180. That is some distance from the river?—They were brought down by truck to the boats, put on by a landing crane and brought down to Athlone. The greater part of them were carried by Scotch drays on the road to Athlone. Some of them; indeed, a great deal of them.

181. Was that not contractors' work, which the contractors ought to have done just as much as to bring these cranes or anything else to enable them to fulfil their contract?—Yes.

182. Colonel *Vandeleur.*] Making this landing-place is not very much, I suppose?—It was very considerable, but the Commissioners do not appear to recognise it. In their reports they call it Lough Ree, or something like that. I think, perhaps, I am wrong; that the money that should have gone for these beacons was laid out there, because the basins are not made and the harbour was made.

183. There is scarcely any communication with the river where it runs for such a long reach along Roscommon?—No, there is a great want of communication from Athlone to Lanesborough; there is upwards of 20 miles reach, and they have no way of getting at the advantages of the river. The only way was by this little pass up the stream to Lecarrow, and that pass is utterly impracticable. I could not go last summer with an ordinary small boat down it; I had to walk on the banks, for the man could not bring me along in the boat.

184. Mr. *Dillon.*] Is that the case at the landing-place (*pointing on the map*)?—Yes, from the Shannon up the stream, and the landing-place they constructed. It was all very well when they were working it for the advantage of the stone with very low flat boats, but the moment they stop, it silts up. It is a pulpy sort of place. There is then a place called Galey, which was laid down by Mr. Rhodes in his plan for the accommodation of the Roscommon county side, to get to the Shannon. At that place there is an old harbour marked on this engraved plan, and 15 feet of water in the bay.

185. Is that in Lough Ree?—Yes, the sounding near Galey Harbour shows 15 feet deep of water. Any steamer or boat could go in, and from the nature of the place, it was the central and best place for giving the accommodation to the country between Lanesborough and here; and if the money expended on the drain at the quarry of Lecarrow had been expended at Galey, there would have been a permanent advantage to the country.

186. Colonel *Vandeleur.*] What distance is that?—Seven miles. It is about eight miles to Galey, and there is about 10 miles more to Lanesborough.

187. Is there a road direct into Athlone?—The road is direct. It is called seven miles to Lecarrow, and it is eight miles to Galey by road.

188. Would a farmer taking his produce take it by boat, or by road?—He would go to the market of Athlone by road, with small things.

189. *Chairman.*] Lecarrow is seven miles from Athlone?—Yes, and Galey another mile.

190. Colonel *Vandeleur.*] I think I understood you to say, that for want of some document to which you had not had access, your report is not exactly in the position you would like it to be in?—That is so.

191. In a few days will you be able to put the report into a condition in which it might be presented?—Yes, that would be the proper course; the principal things I want to get at, are the disbursement accounts of the Commissioners, to enable me to correct my observations on the monetary part. By seeing them, I might be able to come to some conclusion as to what amount of money has been actually expended, and what is remaining unexpended; because under the Act they were obliged to give a return to the Treasury once in each year during the whole period of their operations, showing the amount of money laid out upon each particular work. That is a piece of information which would throw great light on the subject, and I asked several parties. I wrote to Colonel French himself, he asked me to go into the country to investigate it there; that would take a great deal of time. There are 11 reports for 11 years, and before I could come to a proper conclusion on those matters, I should read the 11 reports and extract from those reports. I should make a table showing what is laid out upon one particular work in one year, and what is laid out in the next; in some years there is nothing laid out, and so it goes on in that kind of way, and I should arrive at what amount has been expended on the whole. Then contrasting the report of the Commissioners itself to the Treasury with the sum of money in the original estimate, it would be in my power at once to come to some conclusion of a satisfactory nature; but without

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reading those reports, it would be almost impossible.

192. Sir *William Jolliffe.*] Would you be able by Monday next to investigate those reports, and to make out a paper of that description?—I think I could.

193. Colonel *Vandeleur.*] Is the report complete in other respects as to all the different works that have been left undone, which you consider necessary to have been done?—I should say it is.

194. By which not being completed, the public have been injured, and the counties have been injured?—I could not go into that point at all; I think I mentioned in my report to the Grand Jury that I could not enter into the report relative to the monetary part.

195. I do not mean that, but as to the effect upon navigation and drainage?—If you will allow me to look at the report again, I will amend it, and put it in on Monday.

196. *Chairman.*] Now, go on, if you please, and take the course of the river?—I believe my last observation was, that if the money expended at Lecarrow had been expended at Galey Harbour, a beneficial result would have been given to the country; now, Athlone is the next place; the canal of Athlone was the original design. The estimate for Athlone was 60,000 *l.* The course of following the canal was deviated from, and the river course adopted, and after purchasing up the stores and houses on the bank of the old canal, the Commissioners altered their scheme, and I believe relet those houses back to the parties from whom they purchased their fee on very moderate terms.

197. At a very considerable loss?—That is calculable. I suppose the yearly reports will show that. I do not know what it is, but that is the case. The overfall or regulating weir for Lough Ree was to have been at the top of the canal at the neck of Lough Ree, similar to Tarman and Rooskey. It is altered down to a lower position and to a very much more expensive position for building it, because it was built upon piles and framing works. If it had been built at the place laid down by the original plans it would have been built without the necessity of piles. The bridge of Athlone was estimated at 20,000 *l.*, and was built I think in 8 feet deep of water; besides there was the clearing out of the foundation underneath.

198. It was an expensive job, was it not, clearing out the water for the caissons?—It was built in cofferdams or caissons, and there were steam-engines there for two years constantly drawing off the water, and the allowance to the contractor for excavating the foundations for the bridge was 4,500 *l.*

199. Colonel *Vandeleur.*] Was that the ordinary site of the bridge?—The ordinary site of the bridge, and the site intended.

200. *Chairman.*] Was it not necessary a second time to take the water off the bed of the river?—Yes, the plan was changed as to the overfall and lock. The lock was taken away from the original intended plan at the mouth of the old canal, and it was changed to within the town of Athlone. There was a chamber cut off for the purpose of allowing vessels to lay in the town between the streets of the town near the new bridge, and in the execution of the second scheme the water was cut off and let to pass in summer by the old canal. There was a dam put below the town, and the water was charged over the dam to leave an opportunity for sinking the bed of the river within the town to make a chamber for vessels. By this means a particular reach of the river was left so dry that horses and carts were engaged in the bottom of the river in carting away the cutting for this new chamber. In doing so the horses and carts passed out through the arches of the new bridge on the hard and stony ground, and cut away some of the soil under the new bridge, so that if the second scheme had been adopted in the beginning, there was no necessity to build the bridge in deep water. It might have been built on the dry. There might have been a saving of the 4,500 *l.* which was laid out for the cofferdams, and there might have been a very material saving in the execution of the work, because the supply of stones for building the bridge had to be brought on with winch and crab and framework over the water and let down into the cofferdams, whereas, if it had been built on the ground on the dry, as it was afterwards, the bridge might have been built at one-fourth less.

201. Sir *William Jolliffe.*] You say "afterwards done," was that bridge built after all?—It was. It was first built in the cofferdams before the Commissioners took it into their minds to change the connection from the channel to the river, and in the course of making a new overfall they left the bridge perfectly dry.

202. Mr. *Dillon.*] You said the estimate was 60,000 *l.* for Athlone canal?—£. 60,000 was the Athlone estimate. They say, by a Return to this Committee at the last meeting, that the outlay was 104,276 *l.* The weir of Athlone in the flooded times is submerged by the backwater from Meelick, which is the next level below.

203. Colonel *Vandeleur.*] Will you state what is the distance between Athlone and Meelick?—I dare say it is about 25 miles English.

204. It is nearly a level?—Quite.

205. Have you seen the level between Athlone and Meelick in high flood times?—Yes, very frequently.

206. In what state is it then?—Completely under water. The vessels coming up have the very greatest difficulty in finding the track of the Shannon River to keep themselves in their places.

207. It is an immense wide expanse of water?—It is an immense expanse of water, three miles wide, and there are only a few black poles stuck up here and there to keep the steamers right; and only that the men at the helm well know from practice all about it, they would run against the banks. I do not know anything below Meelick; from Athlone down as far as Meelick, there is scarcely anything to be seen in the winter but water on either side for a very great extent of country. At Athlone, there was 24,000 *l.* paid for mills which stood on the bridge of Athlone, according to the reports of the Commissioners. They promised water power at Athlone, which is the centre of Ireland, and is considered a very fine position for manufactories. They promised water power there, which they state in their reports would be worth 20,000 *l.*, and with that proposition their plans were carried out. The result now is that there is no fall for water-power in winter, but the low water down to the Shannon bridge, and on to Meelick, floods the country, and tails back on the overfall of Athlone, so that boats bringing turf into the

town are rowed right over the top of the fall; therefore there is no water-power preserved. I mention this as one of the mistakes which, I think, have occurred in the general management of the Shannon altogether. There is the same effect at Rooskey, at Tarman, and at Jamestown.

208. They pay 24,000 *l.*, leading the public to suppose that some value would be received?—Stating so.

209. And instead of that, it is a loss?—Dead.

210. Not only that, but a loss to the country; for they destroyed mills that were there, of the worth of 24,000 *l.*, which have never been replaced?—Yes, and they paid nearly 3,000 *l.* for a mill at Jamestown; the roof is on it; it is a very excellent house, as it stands, but merely gutted of its machinery. They never could get anybody to take it, because, instead of six feet fall, which they promised, it was not one foot of fall; there was no fall at all. I think they promised it would sell for 2,000 *l.*, and they paid 2,000 *l.*, and some hundreds at Jamestown.

211. *Chairman.*] Is it not the fact that they estimated the cost in the original plan at 170 *l.*, and expended an enormous sum; thousands?—Yes, at a place called Clerhawn, below Athlone. I am coming next to that: at Clerhawn, below Athlone, the estimated cost in the original report is 170 *l.*

212. And what did the Commissioners return as the amount spent by them?—The Parliamentary Return, as we call it, which was made to this Committee, shows 170 *l.* estimate, and 1,465 *l.* outlay.

213. Colonel *Vandeleur.*] Of what nature were the works?—It was what is called a shoal, one of those bars that they cut in the river.

214. Mr. *Dudley Fortescue.*] Is it by Ram Island or near Carrick O'Naghten?—It is not far from Ram Island; it is very near Shannon Bridge, the first bar above Shannon Bridge. I got one of those expenditure reports, and I find that, by their own returns of expenditure, the cost was 8,000 *l.* and upwards at Clerhawn; and how it could be estimated at 170 *l.* and cost such a large sum, I do not know.

215. Mr. *Dillon.*] Have you ever seen the place?—Yes.

216. Have you seen the work done?—There is a good deal of work in it.

217. You say there is a considerable amount of work there?—Yes.

218. *Chairman.*] Do you think, in reality, that the works were done for 8,000 *l.*?—I confess I do not think there was 8,000 *l.* laid out.

219. Did they not state that a rock came in their way which they did not expect?—Yes.

220. Was there any difficulty in sinking?—Not the slightest in the boring; in the former borings which were made along the river there was no difficulty in ascertaining that.

221. So that is quite inexcusable, and a want of precaution?—It was very badly reported upon, I suppose, or something of that kind.

222. Have you anything else to state about Clerhawn?—I have nothing further, except what I have said, that it cost that sum of money according to the reports and returns, and that the estimate was 170 *l.* I do not see anything more below Clerhawn. The cuts, I believe, are all too narrow for the specified quantities given in the book; but the river was finished from that division.

223. Why did not the grand juries take some notice of this during the time it was going on?—They did.

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224. We had no means of knowing it; they would give us no information?—I will take the liberty of explaining the system. The great feeling the grand jury have is, that they were taxed to a very large amount, without any opportunity of knowing either the manner in which the works were executed, or the amount of money with which they were charged. They have not the power of going into the monetary question, and have not the power of seeing whether the works are well done or ill done.

225. Mr. *Dudley Fortescue.*] Did they attempt to investigate, as the works went on?—It is all down in my Report. I have extracted those resolutions into my Report from the county books. I do not think there is anything more now; I have given you all the distance I go down the river.

226. Colonel *Vandeleur.*] Have you been to Meelick?—Yes.

227. Although it is not exactly in your vicinity, can you state the feeling which exists of the works at Meelick, and what that is caused by?—I did not go into a scrutiny of them the same as I did of the other works of the Shannon. The general feeling I have is, that they were wrong in putting the bar where they have put it. It was fixed in a wrong place. It would have been better to have left open the whole course.

228. They shut up the old course?—They shut up the old course by a dam.

229. The water used to run round a series of islands?—Yes.

230. Which afforded a safety valve in times of flood?—Yes, they closed that up by a temporary dam.

231. A fixed dam?—Yes.

232. And direct all the water down one course?—Yes, and down the course which the steamers go, creating an additional current.

233. Meelick is the great regulating weir for the whole level up to Athlone?—Yes it is.

234. Mr. *Dillon.*] The Acts of Parliament are the 5th & 6th Will. 4, c. 57, and 2nd & 3rd Vict. c. 67. You have looked into those Acts, I suppose?—Yes.

235. I believe I am right in saying that they give very despotic powers to the Board of Works, and give no power at all to the local authorities or to the grand jury?—That is the great objection to the whole system, that those Acts of Parliament give no appeal whatever to either grand juries or any body else; the powers given to the Commissioners were so absolute that there was no possibility of getting any hearing at all.

236. Do you remember the prospects which were held out at the time, and on the faith of which the grand juries of the counties allowed those Acts to be passed without opposition?—I do.

237. I will remind you of the letter of General Burgoyne, and of the earlier reports of the Commissioners of Public Works. Tell us generally what prospects were held out of benefits to arise from those works on the Shannon?—The statements were that a good and satisfactory navigation would be bestowed on the country, that it would extend in the county of Roscommon to within two miles of Strokestown, and that would give facility for that great agricultural district to trade with Dublin and Limerick, and with Lough

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Allen, and that it would facilitate the receipt of coal from the mining districts of Lough Allen to all the towns on the banks of the Shannon, at moderate and cheapen the rates. Those were the promises made by General Burgoyne's letter to Sir John Cam Hobhouse.

238. I believe those promises were repeated in the earlier reports?—They are in the Acts themselves, I believe; they are repeated in the preambles of the Acts. The result now is, that persons in the towns of the county of Roscommon pay from 20s. to 25s. per ton for coals, whereas they could get them at 10s. per ton from the mining districts of their own country if the navigation were carried out according to the plans the Commissioners entered upon, and which they stated in their report to the Treasury would be carried out.

239. Can you tell us the proportion in which the expenditure has been assessed in the different counties through which the Shannon passes?—I think they divide the proportion of the number into 267, of which Limerick county was to pay six, Limerick city four, Clare 14, Tipperary 20, Galway 39, Roscommon 76, King's County, 13, West Meath 26, Longford 20, Leitrim 39, Mayo five, Sligo five. That is the first scale.

240. Was there any alteration made in that?—I think the upper Shannon was added to Roscommon and Leitrim after that. There was an additional charge which I shall be prepared to give on Monday. It is better to take time as to that.

241. Are you aware that Sir Richard Griffith stated, when examined before this Committee last year, that the counties were assessed exclusively for the improvement they derived from the increased navigation?—That was the principle on which it was understood.

242. The question that was put to him was this: "What were they assessed for; were they assessed for the improvement they derived from the increased navigation? I think so." He also stated that the principle upon which they assessed the counties, was the following: "We ascertained the entire expense, and we apportioned according to the benefit, not according to the expense of each particular place." Now, having regard to the fact that improved navigation was to be the benefit, and that the assessments were to be made in proportion to the benefit derived by each locality, do you think those assessments were fairly made?—It would be very hard to measure that question.

243. I will give you an illustration. Do you suppose that the county of Roscommon would derive as much benefit in the way of navigation from those improvements, as the City of Limerick?—Really unless by a matter of receipts I could hardly go about it. If I take the question as it now stands, you were putting the question, I understand, as if it was to be measured at the time this proposition was made, or do you mean at the present state of the river?

244. At the time the propositions were made, taking Limerick as an outlet for the produce of the county bordering on the Shannon, do you think that those inland counties would be benefitted as much by the improvements of the navigation of the Shannon as the City of Limerick would be; I take the counties as a whole, the parts removed from the Shannon, as well as the parts contiguous to it?—There are many parts of some of the counties which would not go to Limerick at all, would not send their trade there. They would send it to Dublin, they would not send it to Limerick, because Dublin would do better, and it is very hard to answer that question. I do not know how I should go about making up my mind upon it without certain data or returns. If I saw the amount of trade of each particular town which traded with Limerick, that would be another thing, but if you suppose the whole of the trade of the counties goes to Limerick, it is evident that it would benefit more than the counties.

245. Then you are not able to answer the question?—I am not.

245*. *Chairman.*] Did they not pay a large sum of money in buying up the navigation, and removing mills, and various things, which was taken out of the entire sum levied?—Yes; the report showed the navigation was purchased now at a very large expense. I think it paid something like 1,300*l.* to 1,500*l.* a year profits, and the Limerick navigation objected to give it up, but the Commissioners pressed it on the Government, and they were compelled to give it up by Act of Parliament.

246. Colonel *Vandeleur.*] That is the canal from Kilaloo to Limerick, which you call the Shannon navigation?—It is the Limerick navigation I am referring to.

247. That is what I mean, from Kilaloo to Limerick?—Yes; that was the net income of the Limerick Navigation Company, under the Act of Parliament.

248. Mr. *Dillon.*] Have you made any estimate of the entire expense that would now be required to complete the works, according to the original estimate and original plans?—No.

249. Why you have given us those in detail?—Of what it would take to complete them, do you mean?

250. Yes?—No, I have not. The estimates were so much, and I have given you what I thought was expended on that; the balance charged is unexpended, but I do not mean to say that that would complete the works at all. If the works had been cut the proper breadth at the time it was unwatered it was quite right, but if you cut it out now it would be double the cost it would have been at that time.

251. *Chairman.*] Mr. Bateman says 273,000*l.*, or thereabouts is required, according to the estimate for doing all the works that are still required to be done?—I think the estimate for works adjoining the county of Roscommon is pretty well up to 100,000*l.* That is unexpended. That is what they did not do.

252. Colonel *Vandeleur.*] What railways have you in the county of Roscommon to supersede the use of the Shannon River?—We have a railway from Athlone to Roscommon, passing on to Mayo.

253. It runs nearly parallel?—It does so for a short distance.

254. Up to Carrick on Shannon?—It is marked on the plan. There is the railway that goes by Roscommon down here (*pointing on the map*).

255. *Chairman.*] It goes to Castlebar?—Yes. There is the Dublin railway coming down to Athlone. It goes in that direction to Galway, and then a line here, which runs all the way through the county. Then, when you go down again near Boyle there is a railway called the Longford and Sligo Extension. That runs outside

outside the county on the other side of the Shannon; it runs into Roscommon county and passes on to Sligo. It runs up near the town of Boyle, and there is the town of Carrick-on-Shannon.

256. Colonel *Vandeleur.*] Within what distance does it run of the coal district that you have described?—It runs very far; the coal district lies round Lough Allen.

257. Within what number of miles?—Perhaps 10.

258. That is down to Carrick-on-Shannon?—Yes.

259. Then any boats running from lighters and bringing coals from Lough Allen could discharge at Carrick-on-Shannon?—Yes, they could upon a railway, but if they wish to send to Dublin they could go much cheaper by water. Here is the canal on to Dublin. They would go by Tarmonberry. Here is the piece of canal, which was not made, which would have kept the boats on the same level. You come here and drop down the level and rise up again. That bars the trade there. The trade there is almost nothing, because when you cannot get water-room to bring your boats out, no speculators can go into this mineral district.

260. Sir *William Jolliffe.*] About what distance, in miles, does your survey in the county of Roscommon extend?—It is about 60 Irish miles, which would be 76 English miles.

261. The nature of the complaint made by the county of Roscommon is that the works promised have not been carried out, and that the benefits promised have not accrued?—Precisely; that the advantages which were promised by the printed reports, and which were contemplated at the passing of the Acts, to charge the counties compulsorily, have not been given, although the counties have paid the money. That is the whole question, I believe.

262. They do not state, that if the works had been duly and properly carried out, no benefits would have accrued; but they say, in consequence of the works having been carried out in a manner altogether inefficient, the benefits they were led to expect have not been reaped by them?—That is their position; they expected those benefits if the works were carried out.

263. Mr. *Dillon.*] Can you give us any idea as to the amount of those compulsory assessments?—Yes, it is in my report to the grand jury.

264. You can put it in the schedule to the Report when you hand it in; how do those assessments generally compare with the whole of the county cess for other purposes; bridges and roads, and so on?—They were in some of the baronies considerably higher; the compulsory charge put upon the baronies separately for the Shannon outlay was considerably higher than the amount of money necessary to keep in repair all the roads of the barony, and all the official management of the county.

265. It was more than half the whole county cess?—Considerably more.

266. Sir *William Jolliffe.*] Among the improvements expected to result from this, a great facility and great saving was expected with regard to the drainage of the river generally?—I believe it was; and I believe if the cuts were made, that the drainage would be facilitated, and one of the places I will show at the top of this river, when the bar is put in at Rooskey; I think I have mentioned that already.

267. Do not go into what you have stated already; those were among the benefits expected, the drainage of the country generally?—The reports of the Commissioners stated that the execution of the works would afford additional facility for the drainage of the rivers that fall into the Shannon. Suppose a river coming into the Shannon, the works on the Shannon would have the effect of advancing the sanitary state of the country, of improving the land, and doing away with the damp nature of the country, a thing with which it is unfortunately afflicted, and that it would facilitate the drainage of streams which fall into the Shannon.

268. Was it held out also that lands would be brought into cultivation which were not before capable of cultivation?—It was.

269. But instead of that, from the imperfect manner in which the property within the county of Roscommon is worked, has it in many instances been deteriorated by these works?—It has been deteriorated, and, still worse, it has prevented the opportunities of improvement; because if you take away the fall, such as that lake I have explained, and make it less than nature made it, you prevent the people up the country from draining their land.

270. Colonel *Vandeleur.*] You are aware what has caused the present inquiry; it has been demanded by the proprietors along the river, in consequence of the floods, particularly the great floods that have occurred of late years, by which the lands along the river have been materially injured?—I believe that was the origin it was got up upon; but I believe the counties, when they began to consider it, particularly the county I am in, considered the amount of money they had paid, and that they had not got value; and their object in sending me here as a witness is not with a view to the unwatering of the lands, but with a view to the disadvantage the counties have been subjected to in not getting the engagements performed which they have paid for; at least that is my view of it.

A P P E N D I X.

REPORT handed in by Mr. *Kelly*.

To the Grand Jury of the County of *Roscommon*, assembled at Spring Assizes, 1866.

Appendix.

Gentlemen,

In conformity with your resolution of last Assizes, I beg to lay before you such information as I have been enabled to collect from the Reports of the Commissioners for improvement of the River Shannon, so far as access to those documents, coupled with my own knowledge of facts relative to the Shannon question, enables me to do.

The manner by which the enormous taxation, consequent upon the proceedings, was carried out, has caused very general dissatisfaction throughout the country.

The mode by which the taxation, as regards the several counties intended to be benefitted, has been adjusted has, up to the present, been withheld from those counties; nor do the reports of the Shannon Commissioners show any fixed basis from which the propriety of their scale of applotment could be ascertained.

The only information afforded the counties on this head is, that they shall pay by compulsory presentments the unchecked demands of the Commissioners, and that their bridges may be thrown down and new ones erected in their stead at any cost the Commissioners may choose to incur, for which the counties must pay, without power of inquiry either as to cost or mode of management.

This state of things, coupled with the growing and extraordinary claims on this county for Shannon outlay, caused much dissatisfaction, particularly during the period of the famine, which created a desire on the part of the grand jury, as well as with the ratepayers generally, to inquire into the expenditure by reason of which they were so heavily taxed.

At Spring Assizes, 1848, the very unsatisfactory financial state of this county, caused by the famine, was by the grand jury laid before Chief Baron Lefroy, with a view to the relaxation of the Shannon claims, but without effect. For in the year 1848, by a return which I have extracted from the several county books, a copy of which I beg to append, it appears that the sum of 10,656 *l.* 6 *s.* 4 *d.* was levied off this county for repayment of the Shannon outlay.

And in 1849, the period of the most harrassing trials by famine, from which this county lost one-third of the population, no less a sum than 11,409 *l.* 7 *s.* 3 *d.* was levied and paid by this county for the same purpose, making on several baronies a higher rate of charge for Shannon works than the cost of maintenance of all the roads and bridges in those baronies amounted to, a comparative table relative to which I also beg to append.

So severely was the hardship felt, that at Spring Assizes, 1842, the grand jury resolved—

"That the sum of 75,000 *l.*, with interest, apportioned by the Commissioners of the Shannon Navigation to be levied off the county of Roscommon, is enormous, and disproportioned to the sums apportioned on other counties bordering on the Shannon."

They also appointed a committee to prepare a petition to Parliament on the subject, and to correspond with Sir Robert Peel and the Lords of the Treasury, and the Commissioners of the Shannon Navigation, with respect to said enormous assessment on this county.

At Summer Assizes, 1843, the Grand Jury resolved—

"That from the great number of presentments which we have been called upon to make to the Shannon Commissioners at this Assizes, we feel that we are entitled to, and ought to be furnished with, an account of the expenditure of such moneys as have already been presented and paid to the said Commissioners out of this county. We, therefore, hereby direct our secretary to correspond with the Shannon Commissioners on this subject, and request of them to furnish such account for our information previous to next Spring Assizes."

No redress was had, nor accounts furnished.

At Summer Assizes, 1844, the Grand Jury resolved—

"That a petition from this Grand Jury be presented to the Legislature, praying relief from the grievous burthen of the compulsory presentments for outlay on the improvement of the River Shannon."

No redress was had.

At Spring Assizes, 1853, finding the road contractors and others remaining unpaid from want of funds, a resolution was passed by the Grand Jury—

"That the treasurer be directed to withhold the instalments to the Shannon Commissioners, amounting to 2,725 *l.* 9 *s.* 4 *d.*, and to pay the local demand of road contractors as far as possible."

The whole amount levied on this county for Shannon works was 91,628 *l.* 1 *s.* 1½ *d.*, inclusive of interest, which, applotted over 271,955 Irish acres,

acres, the extent of arable land in this county, gives 6 *s.* 8½ *d.* per acre on the whole county, and on the population, 253,591, gives 7 *s.* 2¾ *d.* per head.

I beg also to state that I have endeavoured to estimate as nearly as possible the value of the works left unfinished by the Commissioners, which are very numerous on the Upper Shannon, many of them not commenced; in doing so, as regards several cuttings and other works, I have passed them over as complete, allowing credit for the full amount of estimate, although they may not have been so perfectly finished as they ought.

This county adjoins the River Shannon for a distance of 70 miles, embracing the whole of the upper and a portion of the middle division, and from all the information I have been enabled to obtain, the money advanced to the Commissioners on their own estimate, for completion of the whole of the works, had beenn early expended when they had proceeded up the river as far as Athlone, which, if correct, will account for the very inefficient state in which the navigation has been left on the Upper Shannon and Boyle Water, and the very neglected state of the Carnadoe to Strokestown navigation.

The comparative valuation of works left incomplete, and the estimated amount for works which have not been commenced, inclusive of sums over expended, so far as adjoins this county, amount to about 130,000 *l.*

Although the counties of Roscommon and Leitrim have been more highly taxed for Shannon improvements than any of the counties charged, it has unfortunately turned out that, from the unfinished state of the navigation on the Upper Shannon, they have derived less benefit than the other counties, though the Commissioners anticipated differently.

They say, Fourth Report, page 8, "It is true the amount proposed to be assessed on the different counties and districts is considerable, and, in the cases of the counties of Roscommon and Leitrim, very large; but those counties will derive more direct benefit from the Shannon navigation and of its principal tributaries than any other, and obtain increase of prices of agricultural produce, which must result from the additional facility and cheapness of transport to Dublin and the British markets."

Unfortunately the upper division of the River Shannon, notwithstanding the enormous sums of money levied off the adjoining counties for its improvement, still presents a striking similarity to the description given by General Burgoyne in his letter to the Secretary of the Treasury, dated 30th April, 1833 (First Report, page 5).

"Iron, marble, slates, and various other products of superior quality, are also to be found in abundance, and though great capability exists for easy intercourse, a perfect stagnation unhappily prevails."

The county of Roscommon was promised (Fourth Report, page 4), "an uninterrupted steam navigation" along its border, "extending from near Killaloe to Leitrim, a distance of 115 miles," with easy communication with Dublin, Limerick, and Loughallen, by means of canals.

Steam communication was also promised to extend almost to the centre of the county of Roscommon, which may have influenced its chargeability.

The Commissioners say (Third Report, page 10), they are proceeding with the investigations required for the upper portion of the river, for Boyle Water, and "the Carnadoe Waters, in the county of Roscommon, which will open a fine agricultural district." This tributary, they say (FourthReport, page 6), will enable steam vessels to navigate for a distance of six miles from the Shannon, and to approach within two miles of Strokestown," that town being the most central, and situate in the best agricultural district of the county. This has not been done. A bascule, or drawbridge, at Carnadoe, the entrance from the River Shannon, was to have been erected, of 32 feet, one with two side arches, of 20 feet span each, making 72 feet waterway; instead of which, the Commissioners have built a stone arch of only 35 feet span, being 18 feet less than the old bridge they removed, which had 53 feet waterway; by which they have caused additional flooding of lands and obstruction to the drainage of rivers falling into the Carnadoe and Gillstown Lakes.

Facility for obtaining fuel from the colliery districts around Loughallen, on moderate terms, was also promised, which has not been realised, on account of the defective state of the navigation.

In the county of Roscommon this bar to the receipt of Arigna or Loughallen coal is a very serious disadvantage, as ample supply for Athlone, Lanesboro', Roscommon, Tarmonbarry, Strokestown, Drumsna, and Boyle, as well as the surrounding country, would be had at about 10*s.* per ton, whilst the cost at those places for English coal is 20 *s.* to 25 *s.* per ton.

That the navigation and other benefits reported and promised to arise from the expenditure on the River Shannon has, so far, resulted in failure there is little room to doubt, and that the county of Roscommon has been coerced to pay upwards of 91,000 *l.* towards the works, without receiving commensurate benefit, appears equally evident.

Athlone and Ballinlobber South Baronies paid 30,772 *l.*; yet, on a distance of 24 miles of coast on the border of Loughree, there is not a port or landing place provided, except a small, and now useless, one at Lecarrow, although the wants of the country fully demand it. The depth of water and safe anchorage in Gailey Bay point it out as a position admirably adapted for the purpose.

Mr. Rhodes, in his Report, ordered by the House of Commons to be printed, 20 June 1833, page 23, refers to Gailey Bay as a position of importance, and in his Chart of Loughree, plate 12, shows it at a depth of 15 feet water, with its sailing course marked in red.

Why the Commissioners should have abandoned this advantageous position as a landing place for the district, and selected Lecarrow in a shallow bay, under great difficulties and expense, can only be accounted for as rendering temporary convenience to the contractor for the works at Athlone, by enabling him to get stones from a quarry adjoining, on cheaper terms by water, than he could by the ordinary road.

In their Second Report, page 20, the Commissioners state that, "except at Athlone, the compensation to be paid for the abolition of mills will be inconsiderable; but, as a counterbalance to the cost of purchase, the public will possess six most valuable mill sites, one on either side of the three great regulating weirs of Killaloe, Meelick, and Athlone, the fall at each of which will be considerable, with an abundant and very powerful supply of water."

And in their Fifth Report, page 27, they estimate the value of those mill falls at 27,650 *l.*, which they set off against an expenditure for the

Appendix.

demolition of mills to the amount of 24,028 *l.* 8*s.* 6*d.* (Fifth Report, page 26).

The 24,000 *l.* was paid, but the 27,000 *l.* prospective value has not been realised, as the back-water at each of the falls rises so high that machinery cannot be worked with profit.

The bridges of Lanesboro', Tarmonbarry, Jamestown, and Carrick-on-Shannon, were thrown down by the Commissioners, and new ones built in their stead, though not authorised by the Parliamentary reports and plans to remove them.

The cost of building new bridges, instead of underpinning those in existence, coupled with the alteration of the design of the navigation as originally estimated for, and the additional expenditure of money consequent thereon, for instance, at Athlone, must have had serious effect in exhausting the funds granted for the works, leaving the navigation on the borders of this county in an unfinished and unsatisfactory state.

Looking to a Return made by the Commissioners of Public Works in Ireland to an order of the Select Committee of the House of Commons on the Shannon River expenditure, dated 16th June last, I find several irregularities and inconsistencies which do not lead to the conclusion that the books of the Commissioners have been very carefully kept, or that the original estimates for the works received the amount of scrutiny and care which ought to be expected, considering the great sums of money paid for them, and the number of years taken by the Commissioners to prepare them.

One instance I shall refer to, that of Clerhaun Shoal, which lies on the border of this county, between Shannon Bridge and the Seven Churches of Cloonmacnoise, the original estimate for which (Fourth Report, page 11), is 170 *l.* The Return to Parliament referred to shows that on this work there was expended the sum of 1,465 *l.* 14 *s.* 6*d.*, which would appear to be a very serious sum to epend on an estimate of 170 *l.* On looking into the progress reports which the Commissioners were bound to make under the 3rd and 4th Vict., cap. 61, sec. 18, showing the extent of work done, and amount expended up to the 31st of December in each year, the sum of 1,465 *l.* 14 *s.* 6 *d.* appears to be far short of the amount actually expended at the shoal of Clerhaun. The number of men employed per those Reports—

				Number of Men Employed.
Sixth Report, 1844, page 18	-	-	-	1,020
Seventh „ 1845 „ 24	-	-	-	18,028
Eighth „ 1846 „ 22	-	-	-	20,584
Ninth „ 1847 „ 15	-	-	-	47,343
Tenth „ 1848 „ 13	-	-	-	700
				87,675

	£	*s.*	*d*
Which at 1 *s.* 3 *d.* per day, the ordinary rate of pay, amounts to -	5,479	13	9

By Seventh Report, page 7, a steam engine was employed to pump off water; subsequently a second and a third.

By Eighth Report, pages 6 and 7, a screw pump set up.

By Ninth Report, page 3, eight steam engines were at work.

Adding for the cost of pumps, steam engines, and general management, the amount of expenditure at Clerhaun, deducted from the returns of the Commissioners, must have exceeded 8,000 *l.*

In following out your instructions in this matter, I beg to say that I found it impossible to arrive at conclusions grounded on actual measurements, yet I feel they come as near the truth as can well be expected under all the circumstances; and trust you will give me credit for having applied myself to the task with as much energy and care as I was enabled to command.

I have, &c.
(signed) *John Kelly.*

County of Roscommon.

RETURN showing the Amount of Money levied off the several Baronies of the County of *Roscommon*, for the Improvement of the River *Shannon*.

Years in which Levied.	Baronies. Moycarnan.	Ballymoc.	Boyle.	Castlerea.	Frenchpark.	Roscommon.	Athlone, North and South.	Ballintobber, South.	Ballintobber, North.	Totals paid by Year
	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.*
1840 -	25 13 11¾	24 4 6½	73 8 2¾	67 8 10	50 14 2¾	96 13 2½	146 17 2	56 8 6½	27 4 10¾	568 13
1841 -	65 19 –	73 19 8½	187 2 –¼	173 5 11¼	154 17 4	246 7 1¾	374 6 1¾	143 16 4	59 8 9¼	1,479 2
1842 -	101 13 6	108 11 2	285 19 2½	264 6 8	227 4 6	376 10 11½	572 1 7	219 15 9	106 2 5½	2,262 5
1843 -	131 – 1	145 9 9¼	375 2 10¾	341 16 1½	286 5 3½	492 19 5¾	738 17 8	286 8 5¾	138 6 –¼	2,936 5
1844 -	194 19 11¼	231 9 1¼	660 14 8¾	571 6 5	458 8 7¾	859 16 6½	1,194 4 10½	489 6 9½	236 5 5¾	4,896 12
1845 -	282 18 3	329 19 1	961 9 3¼	811 18 11½	639 14 8½	1,246 2 10	1,563 10 3¼	702 19 11½	339 8 10	6,878 2
1846 -	339 3 10½	411 – –¼	1,209 11 4½	1,000 4 7	781 14 7	1,562 1 7½	2,034 4 9	874 4 7¾	422 2 8	8,634 8
1847 -	374 – 5½	456 12 9½	1,393 6 6¾	1,129 16 7¾	851 2 1	1,793 16 10¾	2,273 3 2¾	997 – 11¼	481 8 10	9,750 8
1848 -	405 3 2	504 9 –½	1,539 15 5½	1,239 3 –	881 3 8	1,979 17 3¾	2,479 13 3	1,097 5 –¾	529 16 5½	10,656 6
1849 -	428 19 3½	542 9 5½	1,656 7 3¼	1,269 13 5¼	998 11 –¼	2,131 13 5½	2,636 13 7½	1,176 15 3¾	568 4 5½	11,409 7
1850 -	203 3 3½	261 6 1¾	784 – 6	638 7 9	481 – –¼	1,010 13 11	1,245 13 8¾	557 4 1	268 19 3½	5,450 8
1851 -	204 1 8	257 18 4	787 10 2	630 1 8	474 14 10	1,018 6 2	1,248 13 4	559 9 4	270 3 2	5,450 18
1852 -	102 – 10	128 19 2	393 15 1	315 – 10	237 7 5	509 3 1	624 6 8	279 14 8	135 1 7	2,725 9
1853 -	204 1 8	257 18 4	787 10 2	630 1 8	474 14 10	1,018 6 2	1,248 12 11	559 9 4	270 3 2	5,450 18
1854 -	94 8 10	119 6 10	364 8 5	291 11 5	219 13 10	471 4 8	577 16 6	258 18 –	125 – 4	2,522 8 1
1855 -	165 – 1	208 10 5	636 14 –	509 8 3	384 2 1	823 5 10	1,009 10 11	452 6 7	218 8 6	4,407 6
1856 -	124 11 6	157 8 6	480 13 8	384 11 11	289 15 7	621 11 2	762 3 6	341 9 10	164 18 –	3,327 3
1857 -	78 9 3	99 3 –	302 15 2	242 4 8	182 10 3	391 9 9	480 1 1	216 1 10	103 17 3	2,096 12
1858 -	28 2 10	30 17 9	108 6 –	75 8 9	56 17 4	145 13 8	165 19 7	76 14 –	37 2 4	725 2
Totals by Baronies £.	3,553 11 5¾	4,349 13 1½	12,988 10 1½	10,585 17 6¼	8,130 12 3½	16,795 13 10¼	21,376 10 9½	9,345 9 5½	4,502 2 5¾	91,628 1 1

Map of the

COUNTY OF ROSCOMMON

Shewing the

RIVER SHANNON

so far as it borders

On that County.

Referred to in evidence of John Kelly Esq.re
Civil Engineer, Co. Surveyor of Roscommon.

Ballintough
Suck
Ballintober
Ballicurry
Clogher
Ballynamona
Ballinaphuill
BALLYMOE
BALLINTOBER
Lowberry
Aghnamallaght
SOUTH
Corbally
Slieve
Rookfield
Lanesborough
CORREEN
ROYAL CANAL TO DUBLIN
Great Southern & Western Railway
Roscommon
Fuerty
Cloonmore
BARLEY HARBOUR
Knockeroghery
QUARRY
LECARROW
QUARRY
Athleague
ATHLONE
Scregg
Mount Talbot
LOUGH
REE
RIVER
Newfarm
L. Funshinagh
L. Croan
Curraghboy
Cuilleenirwan L.
Brideswell
Corkip L.
Athlone
Killeglan
SUCK
Dundonnell
Midland G. W. Railway
SHANNON
Cornafulla
Cappaghmore
Ballymurray
MOYCARN
Ballinasloe
RIVER
CLERHAUN
RIVER SUCK
Shannon Bridge
Scale of Miles.
0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

RETURN showing the RATE per £. 1. levied on the several BARONIES of County *Roscommon* in the year 1849 for *Shannon* and Baronial Works, &c., separating the Rate on the £. for each.

BARONIES.	Total Rate charged on the Barony.	Rate for Shannon Works.	Rate for Baronial Work.
	s. d.	*s. d.*	*s. d.*
Moycarnon - - -	1 $9\frac{3}{4}$	- $10\frac{1}{4}$	- $11\frac{1}{2}$
Athlone, North and South -	1 $6\frac{1}{2}$	- $10\frac{1}{4}$	- $8\frac{1}{4}$
Roscommon - - -	1 $6\frac{1}{2}$	- $10\frac{1}{4}$	- $8\frac{1}{4}$
Ballintobber, North - -	2 1	- $10\frac{1}{4}$	1 $2\frac{3}{4}$
Boyle - - - -	1 $7\frac{1}{2}$	- $10\frac{1}{4}$	- $9\frac{1}{4}$
Frenchpark - - -	1 $4\frac{3}{4}$	- 8	- $8\frac{3}{4}$
Castlerea - - - -	1 4	- $7\frac{3}{4}$	- $8\frac{1}{4}$
Ballymoe - - - -	1 $1\frac{3}{4}$	- 8	- $5\frac{3}{4}$
Ballintobber, South - -	1 $9\frac{1}{2}$	- $10\frac{1}{4}$	- $11\frac{1}{4}$

REPORT

FROM THE

SELECT COMMITTEE

ON THE

SHANNON RIVER;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed.*
25 *April* 1866.

[*Price* 1*s.* 2*d.*]

213.

Under 3 *oz.*

REPORT

FROM THE

SELECT COMMITTEE

ON

TRAMWAYS (IRELAND) ACTS AMENDMENT BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
17 *July* 1866.

418.

Thursday, 14*th June* 1866.

Ordered, THAT the Tramways (Ireland) Acts Amendment Bill be committed to a Select Committee.

Monday, 18*th June* 1866.

Committee nominated of,—

Lord Naas.	Captain Jervis.
Mr. Monsell.	Mr. Corry.
Mr. George.	Mr. Laing.
Mr. Sullivan.	Sir Colman O'Loghlen.
General Dunne.	Mr. George Clive.
Mr. Sherriff.	

Ordered, THAT Five be the Quorum of the Committee.

Tuesday, 19*th June* 1866.

Ordered, THAT Mr. Leader and The O'Conor Don be added to the Committee.

Monday, 25*th June* 1866.

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Tuesday, 17*th July* 1866.

Ordered, THAT the Committee have power to report the Minutes of Evidence taken before them to the House.

REPORT - - - - - - - - - - - - - p. iii

PROCEEDINGS OF THE COMMITTEE - - - - - - p. iv

MINUTES OF EVIDENCE - - - - - - - - - - p. 1

APPENDIX - - - - - - - - - - - - p. 47

REPORT.

THE SELECT COMMITTEE to whom the TRAMWAYS (IRELAND) ACTS AMENDMENT BILL was referred;——HAVE considered the said Bill, and taken Evidence thereon, which they have agreed to report to The House, and have gone through the Bill, and made Amendments thereunto.

17 *July* 1866.

PROCEEDINGS OF THE COMMITTEE.

Friday, 22*nd June* 1866.

MEMBERS PRESENT:

Lord Naas.	Mr. Laing.
Sir Colman O'Loghlen.	Mr. George.
Mr. Monsell.	Mr. Sullivan.

Lord NAAS called to the Chair.

The Committee deliberated.

[Adjourned to Tuesday next, at Twelve o'clock.

Tuesday, 26*th June* 1866.

MEMBERS PRESENT:

LORD NAAS in the Chair.

Mr. Monsell.	Mr. Corry.
Mr. Sherriff.	Mr. Leader.
Mr. Sullivan.	Mr. George.
General Dunne.	Mr. Laing.

Mr. *James Barton*, C.E., and Captain *Douglas Galton*, R.E., were severally examined.

Mr. *James Barton*, C.E., further examined.

[Adjourned to Friday next, at Twelve o'clock.

Friday, 29*th June* 1866.

MEMBERS PRESENT:

LORD NAAS in the Chair.

Mr. Corry.	Mr. Leader.
Mr. Monsell.	Mr. George.
Captain Jervis.	Mr. Clive.
Mr. Sherriff.	Sir Colman O'Loghlen.
General Dunne.	The O'Conor Don.
Mr. Sullivan.	

The Earl of *Bandon* (attending by permission of the House of Lords), Colonel *Yolland*, Captain *Rich*, Sir *John McNeill*, and Mr. *Telford McNeill*, were severally examined.

[Adjourned to Tuesday next, at Twelve o'clock.

Tuesday, 3d July 1866.

MEMBERS PRESENT:

Lord NAAS in the Chair.

Mr. Monsell.	The O'Conor Don.
Mr. Sherriff.	Mr. Leader.
Sir Colman O'Loghlen.	Mr. Sullivan.
Mr. Laing.	Mr. Corry.
General Dunne.	Mr. George.

The Committee deliberated.

Sir *John McNeill* further examined.

The Committee deliberated.

[Adjourned to Tuesday 17th inst., at Twelve o'clock.

Tuesday, 17th July 1866.

MEMBERS PRESENT:

Mr. MONSELL in the Chair.

Mr. Sherriff.	The O'Conor Don.
General Dunne.	Mr. Leader.

Preamble read, and postponed.

The Committee went through the Bill, Clause by Clause, and made Amendments thereunto.

Several MS. Clauses read a first time, and a second time, and *added to the Bill.*

Preamble of the Bill read, and *agreed to.*

Question, "That the Bill, as amended, be reported to the House"—put, and *agreed to.*

Ordered, To Report, together with Minutes of Evidence, and Appendix.

LIST OF WITNESSES.

Tuesday, 26*th June*, 1866.

James Barton, Esq. - - - - - - - - - - - - p. 1, 18

Captain Douglas Galton, R.E., C.B., F.R.S. - - - - - - - p. 13

Friday, 29*th June*, 1866.

The Right Hon. the Earl of Bandon - - - - - - - - - p. 22

Colonel William Yolland - - - - - - - - - - - p. 28

Captain Frederick Henry Rich - - - - - - - - - - p. 34

Sir John Macneill - - - - - - - - - - - - p. 37, 40

Telford Macneill, Esq. - - - - - - - - - - - - p. 39

Tuesday, 3*rd July*, 1866.

Sir John Macneill - - - - - - - - - - - - - p. 45

MINUTES OF EVIDENCE.

Tuesday, 26th June 1866.

PRESENT:

Mr. Corry.	Mr. Monsell.
General Dunne.	Lord Naas.
Mr. George.	Mr. Sherriff.
Mr. Laing.	Mr. Sullivan.
Mr. Leader.	

THE RIGHT HONOURABLE LORD NAAS, IN THE CHAIR.

JAMES BARTON, Esq., called in; and Examined.

1. *Chairman.*] WHAT is your profession?—I am a Civil Engineer.

2. In what employment are you at present?—I am Engineer to some of the larger railways in the north of Ireland, the Belfast Junction, the Irish North Western, and the Greenore Railway.

3. Are you, from your professional pursuits, intimately acquainted with the present position of railways in Ireland?—Yes, I am.

4. And have been engaged in their construction?—Yes, I have been engaged in their construction for many years.

5. Will you state to the Committee, as nearly as possible, the relative cost at which railways have been made in Ireland, as compared with those in England?—They have been very much cheaper in Ireland on the whole. The average cost of all the railways up to the present time, is about 13,400 *l.* a mile; some of them have, however, been down as low as 5,000 *l.* to 6,000 *l.* This has been the case in some of the more recent and single line railways; that is about the lowest. The total amount of capital expended in Ireland upon railways, has been, share capital 19,242,941 *l.*, as shown by the last Board of Trade Return to the end of 1864, and of this 14,000,000 *l.* was original share capital, and 5,000,000 *l.* preference shares; and, in addition to that, there has been about 5,000,000 *l.* further of debenture capital, making a total of nearly 25,000,000 *l.* Of those 25,000,000 *l.*, however, about 1,000,000 *l.* is capital expended on lines not yet opened, leaving the nett cost of the railways as now open about 24,000,000 *l.* The number of miles opened for that sum was 1,794; and the cost, therefore, including every expenditure, rolling stock, &c., Parliamentary and all expenses, was on the average about 13,400 *l.* per mile.

6. Will you state the gross receipts upon that expenditure for the year 1864?—For the year 1864 the receipts were 1,581,606 *l.*, out of which the expenditure for working expenses was 750,530 *l.*, being 47 per cent. of the gross receipts, and leaving 831,076 *l.* profits. If we assume that out of this the debenture holders received on the average 5 per cent. interest, their interest would amount to 250,000 *l.*, leaving a balance of 581,076 *l.* for dividend on the share capital, original and preference, and this would be as an average on all the share capital, slightly over 3 per cent.

7. Will you state to the Committee the difference between the returns paid by some railways and by others?—This 3 per cent., being an average, arises from the main lines paying from 4 to 5 per cent., whilst a number of the smaller ones are not paying any.

8. Mr. *Sherriff.*] Will you give us the actual amount of dividend money paid upon the 5,000,000 *l.* of preference shares?—I cannot; the returns to Parliament do not give it.

9. You take 14,000,000 *l.* as the ordinary share capital, and 5,000,000 *l.* preference shares; cannot you give me how much is paid on those 5,000,000 *l.*?—No, some of them pay nothing at all; not even on the preference shares.

10. *Chairman.*] There are some railways in Ireland which pay nothing, even upon their preference shares?—Just so.

11. How many companies are there which have lines open now?—Thirty-six.

12. How many of those are paying anything at all to the original proprietors?—Fifteen; and as well as I can state of those that pay anything, it is either 16 or 17 that pay to their preference shareholders, that is to say, there are only two or three more paying to the preference shareholders

J Barton, Esq.

26 June 1866.

holders than are paying to the original shareholders.

13. Mr. *Sherriff.*] But every company does not necessarily possess preference shares?—No.

14. How many of the 36 have preference shares?—Twenty-four.

15. Mr. *Corry.*] Do you mean that there are 21 companies that do not pay at all?—Yes, that do no not pay any dividend at all to the original proprietors.

16. Even upon their preference shares?—No; there are six that pay dividends on their preference shares, that do not pay dividend on the originals; and yet the number paying on preference and on original shares is nearly the same, because there are some which have no preference shares, and that makes the number nearly the same, that do pay on preference shares, and that do pay on original shares.

17. Mr. *Sherriff.*] Can you give us the mileage of the 15 railways which do not pay?—The mileage of railways opened at the end of 1864 paying nothing to original shares, was 545, and of these, 234 miles paid something to preference shareholders.

18. *Chairman.*] What conclusion do you draw from these statistics as to the present state of railway enterprise?—A conclusion is being drawn very widely amongst thinking men connected with railways in Ireland, and that is, that except in a very special case no further extension of the railway system in Ireland can be made profitably on the ordinary system.

19. Is it your opinion that there are many districts in Ireland which would be greatly benefited by the establishment of railways, and also that if railways were made at a comparatively smaller cost they would be likely to pay?—I have no doubt it is so. There are several towns of considerable importance which have no railways, and the traffic to and from which would not pay for a railway constructed even at 5,000 *l.* to 6,000 *l.* a mile.

20. Mr. *Corry.*] In the case of those lines which have been open for some years, have the receipts been falling off of late, or the reverse?—Rather increasing generally, but these last two years many of them have been decreasing from the peculiar circumstances of the country within these last two years, but they are now again rather increasing in almost every case.

21. *Chairman.*] It is found, is it not, in those districts to which you allude, the number of persons engaged in industrial pursuits are in a somewhat disadvantageous position as compared with persons carrying on the same pursuits in more favourable localities?—Yes, there are considerable districts where there is no railway within many miles, and in those districts both the mill-owners and the agricultural population are placed at a decided disadvantage by the very fact of the railways at some distance from them giving an advantage to those who have this railway communication which they cannot attain to. Coals in Ireland having to be almost all brought from the seaboard, the carriage upon coals is a very material matter in attempting anything of either mill work or manufacture.

22. In order to meet these wants, two Acts, I believe, were passed?—Yes, one in 1860 and another in 1861, an amendment of the Act of 1860.

23. What was the object of those Acts?—They were for the purpose of utilising the public roads and laying down tramways upon them.

24. Those Acts have been found completely inoperative, I believe?—Quite so; there has been no action whatsoever taken upon them. Different parties have attempted the matter, but have been stopped *in limine.* I have been consulted by parties in two or three cases about tramways upon roads under these Acts; but the difficulties of getting empowered to construct them, as well as the limitations that are put upon the use of the roads by the Acts, rendered it a much simpler matter to go for an ordinary Act of Parliament for a railway.

25. And therefore, unless some amendment is made to those Acts, it is hopeless to think that the object of the Legislature will be in any way carried out?—Quite so.

26. Will you state generally, what the object of this Bill is which has been introduced into Parliament?—To simplify the procedure whereby public roads can be used for the purposes of road railways, and also to enable locomotives to be used upon them under certain restrictions.

27. Even supposing that the legislative difficulties in making those tramways were not great, do you think that tramways for animal power alone would be generally useful?—I do not believe that they would.

28. Why so?—Growing experience of horse tramways is diminishing their use, and the locomotive is taking the place of animal power in almost every branch of industry, and it is doing so with regard to moving loads upon trams. The advantage to be gained by a horse tramway over the ordinary road is only considerable when that road is nearly level; when once the inclines become at all steep, the animal power has very little more advantage upon a rail than it has upon a common road. The power required to lift a load up an incline is the same upon a railway as upon a common road, and the advantage of a rail over the common road is the resistance of the surface. That resistance is what we may term a constant quantity, and does not depend upon the incline, and, therefore, when you get to a steep incline, you have all the disadvantages of the incline to be surmounted by the animal power upon the rail the same as you have upon the road. In the case of a steam engine it is different; you can apply extra power, and you can bring the pressure of steam to bear and get over the difficulty.

29. Do you believe that the particular circumstances of Ireland make it more possible to use a portion of the common roads for this purpose than would be the case in England?—Yes, I have no doubt that the amount of the local carting upon the country roads in Ireland is a very much smaller matter, and if diminished by the carriage of the heavier produce upon a tramway or railway, the amount of the local traffic would be such upon a great number of the country roads in Ireland, as to be not at all inconvenienced by the fact of a line of railway running along it, at least not at all practically so.

30. Has this principle of running railway locomotives upon common roads been adopted in other countries?—Yes, other countries seem to have been rather in advance of ours in that respect; we know that in the United States for many years they have had locomotives running along and across many of their leading roads and through many of their streets in large towns. There is one remarkable case in South America, in Rio Janeiro, a town of between 300,000 and 400,000 inhabitants, which has a line of railway laid down from

from the centre of the town to the suburb of Tijuca, a distance of some six or eight miles from the town; the trains run every half-hour and have done so for five years, and there is no fence in that case even between the railway traffic and the ordinary street traffic, and, up to the time of my informant's leaving Rio Janeiro, he states that no accident had occurred upon that railway from the two traffics running together. The Grand Trunk of Canada also runs through the streets of Portland for a mile.

31. Mr. *Corry.*] Do you think that a horse unaccustomed to it, meeting a steam engine upon the road, would not be very likely to shy and produce very dangerous accidents?—Yes, I think that at first there would be many cases of that kind, but habit is everything with horses, and in our railway stations here, in London, you see the horses standing alongside the trains as they run up to the platform not even moving their heads as the trains come in. It is a mere question of habit to the animals, and if the horse traffic of a country becomes gradually accustomed to locomotives in a district, I have no doubt that a train would be looked upon as a hay cart, or any other large thing which was passing the horse.

32. Mr. *Sherriff.*] In getting to that state, you would quite expect a number of accidents, would you not?—I would not; I dare say it would be necessary at first to have a fence put along the whole tramway, between it and the road.

33. *Chairman.*] Is it not the case that in a great many instances in England now, railways run alongside the high roads close to them for a considerable distance?—Yes, I know of many cases both in this country, and in Ireland too, where they very often run close along the roads for miles; and after two or three times that the horses have passed them they generally do not mind it at all.

34. Mr. *Corry.*] In that case there is a fence between the road and the railway?—Yes, in many cases, there is a fence, but the horse sees the train. The railway is on an embankment generally with an open fence, and is not hid from the view of the horse in any way.

35. *Chairman.*] Is it not the case that a railway is being constructed over Mont Cenis along the road?—Yes, and that is a case which has been very fully gone into lately; the Mont Cenis Railway is being laid down now upon the road from Lanslebourg to Susa, and this question of engine traffic alongside the road traffic has been very fully investigated. The French Government had a commission to investigate it, and our Board of Trade sent over Captain Tyler to investigate it for our Government, and the Russian Government have also had an investigation of it, and the Italian Government also; one of the most material points of investigation was the very subject which is now under the consideration of this Committee, namely, the working with a steam engine alongside of ordinary horse traffic, and the Report of the French Government states that no incompatibility exists between the working of a locomotive and the ordinary traffic upon a public road. This case of Mont Cenis is specially important, inasmuch as it is the only artery for traffic between two large districts where the pass of the Mont Cenis is the only opening. And, therefore, if anything occurred to impede the traffic by the use of locomotives, it would be a most serious national matter to France and Italy.

36. Mr. *Sherriff.*] I take it that it is only a temporary railway until the tunnel is completed?—It is so; it is for seven years; some think it will be a permanent railway; the tunnel will not be completed for many years.

37. Is not one of the principal features of that railway a peculiarity of construction, consisting in the use of a middle rail?—Quite so; there is that peculiarity of construction in it. But the question of horse traffic and engine traffic alongside was one of the most material points to determine whether it could be safely done; and a mile and a-half of that line has been working for a considerable time, and without accident, although the traffic on the road alongside is very large.

38. *Chairman.*] Is the ordinary traffic on that road carried on as usual?—It is; and a very heavy traffic it is.

39. Mr. *Sherriff.*] You do not mean that there is any traffic really conducted on that line at present; the trains are simply experimental?—The trains have been working up and down continuously through many months now, not as a matter of traffic, but working up and down there experimentally.

40. Not day by day, I think?—I think not day by day, but I can ascertain how far it has been done continually.

41. *Chairman.*] Will you describe to the Committee, first, what should be the description of those lines which are proposed in the Bill; do you propose that they shall be purely local lines?—Quite so; they should be lines between towns where no railway exists, or where no powers have been obtained and are still existing between those towns.

42. It is not proposed to make them in any way as rivals to existing lines?—No; from their nature they never can become main lines; the danger of small lines to main companies, which raises their hostility, is the fact that the small lines are often the beginning of other systems whereby their traffic may be tapped, and become the substitutes for the main lines. These proposed tramways, from their courses and gradients and their local circumstances, would not, of course, be in a position to take that main position; and, therefore, not competing with the main lines, would be very valuable helps to them.

43. And you would impose a limit upon them with reference to their speed?—Yes, I would limit their speed to, say, 15 miles an hour.

44. Mr. *Sherriff.*] What is the gauge which you would propose?—The gauge is proposed to be left open, for the most part; in almost every case I believe it would be the Irish gauge; the Irish gauge is 5 feet 3 inches, but I think it would be desirable to leave that question open, because there are cases, such as quarries running down to ports and certain local lines unconnected with the main traffic, and simply for minerals and things of that kind, where it may be in practice desirable to have a narrow gauge.

45. Then the tramways would be simply railways, many of them, with sharp curves and bad gradients?—Yes, and as such they would be constructed at a very cheap rate.

46. *Chairman.*] Will you state generally how you propose to avail yourselves of the public roads in the construction of these railways?—The public roads in Ireland are considerably wider in proportion to their traffic than the roads

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in England; the preamble of the original Bill speaks of that, and of the possibility of the application of a portion of those highways to tramway purposes; it is proposed to lay down a single line along the side of some of the main roads, where the width is sufficient, and where the width is not sufficient to take off a strip for the purpose; it is proposed to take a strip of land alongside for the purpose of widening it, and also to take strips to improve very sharp corners, and also to make junctions and connections with the main line.

47. Have you prepared some plans and drawings of what you propose?—Yes, I have a sketch here of the kind of thing that it would be upon the road (*producing the same*); I think it probable that it will be found that a kind of omnibus traffic would be the traffic that would most develope the resources of the country, and meet the question best; that the carriage should have a passage down the middle, and on something of the American plan, and that the traffic should be conducted by a conductor similar to our omnibus traffic, stopping at the cross roads and taking up a certain amount of traffic, and collecting it, in fact, to the main stations.

48. You propose, then, to have very few platforms and stations in those small lines?—Hardly anything of the kind; just at one terminus there would have to be some sheds, and for the most part the other only terminus would be at one of the main lines of railway.

49. Mr. *Corry.*] What is the minimum width of road which you propose to leave for the ordinary animal traffic?—I do not propose to limit that; I propose to leave it to the grand jury to determine in each case what they consider is sufficient.

50. *Chairman.*] You propose that the road railway should be fenced off from the high road for its whole length by a wire paling?—Yes, I think so, for the most part; there may be some cases where it may not be necessary; but the proposed mode of fencing, and the amount of fencing, is to be left to the grand jury to determine, and how far they require it, and where they require it.

51. If they think it necessary that gates should be put up at the crossings, that is to be determined by them?—Yes.

52. Mr. *Corry.*] What is the object of fencing; would it not be to hide the locomotive from the horses?—To prevent cattle getting in front of the locomotives, and also men and women and children.

53. *Chairman.*] Do you think, with regard to the curves, that there is anything in the construction of the present roads in Ireland that would render it impossible to use them for these sort of railways on account of the suddenness of the curves?—In some cases it would be desirable to take corners of land for the purpose of improving the curves; for the purpose of forming curves, an ordinary road will require the corners to be taken off; and, therefore, unless there were powers in the Bill for the compulsory purchase of corners of land for the purpose of improving the curves, the tramways could not be carried out; that was one defect in the former Bill, the compulsory powers were limited to so small a number of feet from the centre of the roads that those corners could not be taken off.

54. General *Dunne.*] Do you recollect how many feet were allowed under the former Act?—Thirty feet from the centre of the road; in fact, it was hardly outside the road at all.

55. *Chairman.*] What is the smallest radius of a curve which you think might be used with safety upon such a railway as this, the engine going at a slow rate of speed?—If a centre line be laid similar to the railway on Mont Cenis, at particular curves the radius may be brought down to a very small thing; they have gone round curves there of 120 feet radius, which is such that an ordinary locomotive on two rails would not go round it at all.

56. What is the smallest radius that is in use on railways?—On ordinary locomotive lines about 400 feet is the smallest radius; there are some a little sharper; there a few of 350 feet.

57. Then you propose to use a centre rail for those curves?—Yes, for those curves where it is advisable to do so.

58. Then, as regards the gradients, how do you propose to overcome that difficulty; you do not propose to make any cuttings, I believe, or at least any heavy cuttings, upon those lines?—I propose to make little or no cuttings upon the line, but to follow the present inclinations of the roads for the most part; and where the inclination is steeper than about 1 in 40, I propose to lay down a centre rail similar to the Mont Cenis line. Mr. Fell's patent, or some modification of it.

59. Can this principle be adapted to ordinary carriages; that is to say, to carriages that would only work partially upon this system and partially upon the ordinary system?—Quite so.

60. Will you describe to the Committee how that would have to be done?—Here is a drawing which will show that (*producing the same*). The centre rail can be laid down for a portion of the road where the incline is steep, and there are horizontal wheels that work upon the centre rail, the centre rail being laid upon its side, so that the working surfaces are horizontal; two horizontal driving wheels act upon the faces of the centre line, and, pressing one against the other, they give such an amount of bite upon the rail that the locomotive can go up inclines that have never been mounted before by locomotives. Inclines of 1 in 12, for a long distance, have been mounted by locomotives on the Mont Cenis line.

61. That would be more than sufficient to surmount any of the gradients of the chief roads at present constructed in Ireland?—Yes.

62. Mr. *Sherriff.*] About 30 tons in gross, I believe, is what they have been in the habit of taking up on the Mont Cenis Railway?—Yes, up to 40. A train of 40 tons going at a speed of five miles an hour was stopped in 10 yards in coming down the incline of 1 in 12. A train of 40 tons weight on the same incline, at a rate of from eight to 10 miles an hour, was stopped in from 30 to 40 yards on the Mont Cenis, coming down an incline of 1 in 12.

63. But in applying that Fell's patent to your proposed railways, do you think it would be as applicable to a railway of 5 feet 3 inches gauge as it is to the present 3 feet or 3 feet 6?—Yes; Mr. Fell's patent would be quite as applicable; in fact, it gives more room for the horizontal wheels. The horizontal wheels now even come out past the outer rail in the ordinary narrow gauge.

64. *Chairman.*] At all events there is nothing in the Bill which would prevent those new railways from being adapted to any gauge that may be found

found convenient?—Nothing, nor anything binding them in any way to Mr. Fell's patent; that is merely one of the ways of working it out.

65. Do you think that, upon those short lines, this difference of gauge is so very important, particularly for passenger traffic?—No; for passenger traffic I do not think it is of any importance the gauge being different, because those short lines would be worked by a passenger stock of their own.

66. Which would not be available for our ordinary lines?—No, there would not be through carriages upon the main lines. On small branch lines it is hardly ever found advisable to work with the passenger stock right through upon the main lines. Therefore, for a passenger traffic, it would be very little matter to have to change carriages and to cross the platforms at the junctions, but it would be very important that goods should be brought through; for instance, that coals should be brought through without breaking bulk, and so forth. And therefore, I think, in most lines connected with the main lines, a uniform gauge of 5 feet 3 inches should be carried out.

67. Can you mention the different districts in Ireland which would be likely to be accommodated by such lines as this?—Yes; I have sketched upon a map several of those lines which I think would probably be worked out under such a Bill; chiefly in the north of Ireland, with which I am more connected, there are some dozen of them marked upon that sketch map (*producing the same*).

68. Mr. *Sherriff.*] Are the lines of railway upon the same map?—Yes, they are.

69. *Chairman.*] Will you name the proposed lines to the Committee?—There is one from near Clones, on the Irish North Western, through Belturbet, Killashandra, and Carrigallen, down to near Carrick-on-Shannon, to join the Midland line there.

70. Mr. *Corry.*] About how many miles is that?—It would be about 25 or perhaps 30 miles; then there would be another from Cookstown to Dungannon, Dungannon to Aughmacloy, and Ballygawley to Monaghan; some of these lines suitable for these road railways are lines for which Parliamentary powers were obtained, and they have failed to be carried out, and some of them have been abandoned since by Act of Parliament, from their not being sufficiently remunerative for ordinary locomotive lines. For instance, from near Dublin to Baltinglass, I believe, along the road, there have been powers obtained for making a line, but it is not likely that it will be able to be carried out; and it is a case which is quite applicable; then there is another line from Dunleer to Ardee and Drumcondra, from near Dundalk to Carrickmacross and Bailieborough; from Headfort on the Killarney line to Kenmare, from Newcastle, in the county Down, to Greencastle; from Newtownlimavady to Dungiven; and from Stranorlar to Donegal; Donegal is the county town of a very large county, and it has no railway; there is a line made as far as Stranorlar; a very straight road runs through a mountain country, between Stranorlar and Donegal, and a railway company has been attempted to be formed for it once or twice, but they have failed.

71. *Chairman.*] From your knowledge of this district, can you state to the Committee that there is no probability of railway accommodation being given to it under the present state of things?—I quite believe so.

72. And in all probability it will be so for years; in fact, there is no present prospect of anything of the kind being made?—I do not think there is any prospect, with the ordinary system of railways, of getting railways to those towns.

73. There is also another district, a coal district, in the Queen's County, which has no railway to it?—Yes.

74. That would be another district which would be very much benefited?—Yes.

75. The anthracite has now to be carted, I believe, a distance varying from eight to 20 miles to the canal and railway?—Yes.

76. Mr. *Sherriff.*] Is this one of your lines from Dublin to Carlow?—No; that is one of the main lines; it is to the Baltinglass line to which I have referred; that is the line which has been authorised for a railway, but is not likely to be made.

77. Do you apply your principle to that line?—Yes; from its situation as a suburban line, there is a prospect of its being carried out for a short distance, but not for the rest of the way.

78. This is one of your lines from Clones to Carrick-on-Shannon; do you propose a physical junction with the railways on each side of it?—Yes.

79. In what respect would that tramway differ from a competing line with those two railways?—This tramway would be for the purpose of enabling the district through which it passes, and some district of the Midland Railway, to get to the port this way (*pointing to the map*).

80. The railway communication is along this way (*pointing to the map*)?—I do not think that any goes that way, but there is communication that way to the port; it would be opening up a new line of traffic.

81. If any one wanted to go from Sligo to Clones by railway, they would go along the present lines of railway, would they not?—If they wanted to go from Sligo to Clones, they would go for the most part by coach.

82. Taking it for granted that they went by the present lines of railway, the opening of a tramway from Clones to Carrick-on-Shannon would of course lessen the distance considerably between the port of Sligo and Clones, would it not?—Yes.

83. And therefore it would form a competing route with the railways already established?—I hardly think it would, because the passengers who would go by the Midland Railway to Sligo, going upon the tramway, would go on a new line, which is limited to 15 miles an hour; and people going in upon another line could not calculate upon bringing them in to meet the trains in connection with those two separate railways.

84. But supposing this separate company should take advantage of the tramway, would not that separate company have, in fact, a line of railway which would compete with the present railway company from Sligo to this point?—It would hardly compete with it; the line of the traffic is at right angles to it. This line of traffic is from Dublin, and is at right angles to that coming up here to Clones.

85. Mr. *Corry.*] Is this Bill opposed by any railway companies?—Not that I am aware of; I think the railway companies will look upon it as a great boon to many of them.

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86. Mr. *Sullivan.*] Is there no Act for a railway from Carrick-on-Shannon to Clones?—No.

87. Mr. *Corry.*] You mentioned the line from Dungannon to Cookstown; is it not the case that the railway communication between Dungannon and Cookstown is now very circuitous, by Belfast, round on the other side of Lough Neagh?—Yes, it is; the proposed line would take off three-fourths of the distance.

88. Mr. *Sherriff.*] In the case I have mentioned, is there really any difference between your line of road called a tramway, and a line of railway which might be sanctioned by Parliament between the two points, except for traffic that may want speed?—Not as regards the traffic carried.

89. With regard to curves, as I understand you, you take powers to correct them where they are too sharp?—Yes.

90. Mr. *Monsell.*] Assuming that there would be competition created by means of *this* tramway, what distance would it save?—About one-half of the present distance; it will nearly cut off half the distance.

91. Therefore, it would be for the benefit of the public?—Yes, no doubt of it; and it is proposed in the Bill to give every railway company an opportunity of having their say before the grand jury, when they are dealing with the question.

92. *Chairman.*] There is a provision, I believe in the Act of 1860, by which no two places that are already connected by railway can be connected by those tramways?—It is so.

93. And it is not proposed to alter that provision, I believe, by this Bill?—No.

94. You state that such a tramway as you propose can be made for about 3,000 *l.* a mile, including rolling stock?—Yes, and under that in some cases.

95. What weekly return of traffic do you calculate is required to make that outlay pay 5 per cent?—£. 5 per mile per week.

96. Upon what do you found that estimate?—At 5 *l.* per mile per week the receipts would be such as would pay 42 per cent. of gross receipts for the working expenses, and 5 per cent. upon a capital of 3,000 *l.* per mile.

97. Is that calculation based upon existing railway experience?—£. 5 per mile per week is a very low figure; in fact, I do not know any existing railway on which it is as low as 5 *l.* per mile per week, and even in our branch lines I am not aware of any as low as 5 *l.* per mile per week.

98. Mr. *Monsell.*] How much is it on the Foynes Railway?—I do not know in that case; on some of the northern branch lines it is from 6 *l.* to 8 *l.* per mile per week.

99. *Chairman.*] You take 5 *l.* as the gross receipt?—Yes; 5 *l.* would be the gross receipt, and I take the working expenses at 42 per cent. The average working expenses of all the lines in Ireland was 47 per cent. for 1864, by Board of Trade return, and supposing this worked as it would be in a very cheap way, with only 5 per cent. less than the working expenses of the averge of the whole of Ireland, it would be, say 42 per cent.; 5 *l.* per mile per week would give 5 per cent. upon the capital after paying that 42 per cent., and each 1 *l.* per mile per week would give an addition of 1 per cent. upon the capital, so that 10 *l.* per mile per week would give 10 per cent. upon the outlay.

100. Mr. *Monsell.*] But those tramways would be obliged to have rolling stock of their own?—Yes, they would.

101. And the small branch railways in Ireland generally have not rolling stock of their own; they find it more to their interest to have arrangements made with the neighbouring large railway companies?—Yes, to work them at so much per mile; I think it is probable that the working out of those smaller lines would be that one company might undertake the construction of several of them, and have their locomotives and construction of stock for a number of them.

102. *Chairman.*] But, however, you believe that 3,000 *l.* per mile for construction and rolling stock will be ample for the construction of those lines?—I believe so.

103. Mr. *Sherriff.*] I presume there are very few lines that take so low a gross amount as 5 *l.* per mile per week, but say that you could work at 42 or even 50 per cent., or, in other words, that you could work at 2 *l.* 10 *s.* per mile per week, where is the saving to consist; is it in the locomotive power, or is it in the permanent way, or where is the saving?—The station expenses would be one great matter; the porters and station expenses generally would be reduced very largely; those railways would be picking up traffic upon the roads without stations; they would stop at cross roads, and stop at little villages, and take up the traffic; they would take up goods traffic from the mills and lay down goods traffic in sidings at the mills without station expenses.

104. With regard to the station expenses which you speak of, can you tell us what amount they form in the expenses of a railway; what percentage are they of the 50 per cent. which we will suppose a railway takes to work?—In 1864 the traffic charges were for Ireland 23·21 per cent. of the gross receipts.

105. Would not the locomotive power in this case be more than the average per mile on an ordinary railway?—No, I do not think it would; on the contrary, I think it would be rather less, the speed being so low.

106. Supposing a railway ran at 15 miles an hour, which is a parallel circumstance to your plan, would not the locomotive expenses on that railway be less than those of which you now speak?—Yes.

107. Would there be any saving in the permanent way?—There would be some slight saving in the permanent way, because those tramways can be laid down with a light rail and be worked by light stock, and the engines may be made light; and, having a centre line, this plan possesses one great advantage, that in order to get a bite to go up inclines, you do not require so much weight in the locomotive.

108. What is the weight of Fell's locomotives on an ordinary railway?—It is about 16 tons, I think.

109. Mr. *Corry.*] Do you propose having gates where the tramroad crosses other roads?—In some cases I think they would be necessary.

110. And you must have persons to open and shut the gates, must you not?—Yes, we propose to leave the question of how far there are to be gates, and persons at them, to the grand juries to deal with in each particular case. In some cases I do not think it would be necessary.

111. *Chairman.*] But in providing for gates it

it would be necessary, I presume, to have some persons employed upon the lines as gatemen?—Yes.

112. And residences could probably be provided for them at the places where the gates are required to be opened?—Yes.

113. So that that could be done, to a great extent, without materially adding to the ordinary working expenses of the tramways?—With regard to gates at level crossings, and persons to attend to them, we find on several railways in Ireland that we can do that without increasing the annual expense, by giving cottages to some of the workmen employed upon the line, and the females of the family attend to the gates. We have, I suppose, 20 or 30 or 40 such cases in Ireland where the woman attends to the crossing, the husband being employed upon the railway.

114. I apprehend in other places where the trains would stop ordinarily, the gates could be put across the little railway instead of across the roads, and the conductor could then open and close the gates?—Yes.

115. Mr. *Monsell.*] Have you made any detailed estimate of the 3,000 *l.* which you say would be the probable cost per mile of these railways and their rolling stock?—Yes, I have.

116. Will you favour the Committee with the details?—With regard to the rails, by having a centre rail for one-half the length (it would not be so much as that; probably one-fourth would be nearer the mark, but by allowing one-half of the whole length to have the centre rail) the rails would come to 709 *l.* at 40 lbs. per yard.

117. On the existing railways how much do the rails cost per mile?—Our rails, for the most part, are from 60 lbs. to 70 lbs. per yard on the railways lately laid down. In this case it would be 40 lbs. per yard, and with a third rail for one-half of the whole length it would be about 150 *l.* per mile more than what I have stated.

118. Then there would be a saving of 150 *l.* per mile on the rails?—Yes.

119. And that would be occasioned by the rails being lighter than the ordinary ones?—Yes.

120. Now, will you go to the next item?—Then the sleepers would be about the ordinary price for a single line of rails.

121. So that there would be no saving in the sleepers?—No, neither in the sleepers nor the fastenings; I have estimated 264 *l.* for sleepers and 226 *l.* for fastenings; then there are the centre-line timbers, which would be extra upon an ordinary railway, and which would be 110 *l.*; then I have taken the laying of the road at 1 *s.* 4 *d.* per yard, which is rather a high price, inasmuch as there is a portion of the centre line to lay, and this would come to 117 *l.*

122. How much is the cost upon existing railways?—It is done very often for 1 *s.* and 1 *s.* 1 *d.*, and I put it at 1 *s.* 4 *d.*; then comes the ballasting and the levelling of the roads, in which item there would be a little saving, but not much, because you would have for the most part to get new ballast for the line of rails; the gravel of the road would be partly available, but not much; then comes the portion where the real saving would occur, which would be in the earthworks, bridges, culverts, drains, and land; there is where the large saving comes.

123. That is to say, you can make use of the land which is already made use of for public roads, and that you would make use of the bridges which already exist upon the public roads?—Yes.

124. Will the ordinary bridges generally in Ireland be able to support the weight of trains?—They would for the most part; they are almost invariably rubble stone bridges; there would be cases, of course, where they would not be sufficient.

125. Mr. *Corry.*] Are not the bridges very narrow upon some of the roads?—Yes, in some cases you would have to widen the bridges.

126. Mr. *Monsell.*] As to cuttings, that would depend upon the line of country through which the existing road is made; if you had a very level country, probably there would be just as much expense upon cuttings for one of those tramroads as there would be for a railway, would there not?—There would be a difference; if the line was ever so level through fields, you would have to form the foundation for your road, and you would have to level your road, and, in many cases, to cross soft ground; the existing road having got its base, gives you a good deal of work done in that way; but, of course, in the case of a perfectly level country, the difference would be much smaller than usually it would be in Ireland.

127. In the case which you have put with regard to running through spots of bog, do you consider that it would be quite safe to run anything as heavy as this railway would be, along one of the existing roads?—Sometimes not at all.

128. *Chairman.*] As to bogs, when once you obtain a foundation for the ordinary road, it is very easy to strengthen the road, is it not?—Yes.

129. It is a very different thing from making a new road through a bog?—Very different indeed.

130. And the difficulty in strengthening a road through a bog sufficiently to enable it to carry those trains, would be a totally different thing from the very great difficulties which are experienced in the case of running railways across bogs?—Yes.

131. Mr. *Corry.*] Do you contemplate that the trains would be of as great weight as those run upon the ordinary railways?—The weight per foot on these railways I think should be kept down nearly to the average weight per foot of ordinary loaded waggons or ordinary trains upon ordinary railways. A waggon, we will say, carrying 7 or 8 tons spread over some 16 to 18 feet, will give a weight of half a ton per foot run upon the line. The engines should be kept down to as little over that as possible. The object would be to keep the locomotives as light as possible.

132. Mr. *Sherriff.*] The locomotives you spoke of being 16 tons each?—That was on Mont Cenis; we could do with rather less on most of these roads. I do not know of any case where we should have to overcome an incline of 1 in 12.

133. Mr. *Monsell.*] With regard to the saving which you said, in answer to one of the Honourable Members, would be effected in the stations, that would be a sacrifice of public convenience, would it not; I mean that upon an existing railway, if they chose not to have stations, they might have little sheds, as indeed they do sometimes?—With regard to passengers getting in and out, of course it might be so, but as you have not, as in the case of an ordinary railway, to procure land off the public road, where you have to form stations, and buildings for an extensive rolling stock, of a more or less expensive character, it is a matter quite different from dealing with this question of two or three carriages,

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and a little engine running backwards and forwards upon branch lines.

134. But the difference consists in your assumption that these tramways would carry only a small number of people, whereas the existing railways carry a large number. What reason is there for not having stations on a railway, such as you contemplate, and for having them on the existing railways; it is a mere matter of convenience to the public in both cases, is it not?—It is a matter of convenience to the public no doubt, but if you have to deal with the question of a large traffic you must deal with the question of stations, whereas where it is a small traffic it can be accommodated at a simple platform or shed in this kind of way.

135. That is what I say, that the difference is not between the character of the railway, but between the amount of traffic which it is expected the railway will carry?—To a certain extent it is, but it is also as to the roadside taking up traffic; we propose to take it up by stopping at the cross roads, and stopping at places without platforms or anything of the kind; you could not do that in the ordinary way, you must have platforms for your trains, and you must have the platforms so arranged as to be upon the level of the carriages.

136. What is the amount of saving which you contemplated would take place upon the item of stations and the different items that you have mentioned?—I have not put down the item for the cost of the stations on the railways at present existing, as I do not know exactly what that is, and I do not know that we could ascertain it, but all the difference that I can make in estimating the working expenses between an ordinary railway and there is but 5 per cent. out of 47.

137. Mr. *Sherriff.*] I take it that if any of those railways only took 5 *l.* gross, they would not only not pay anything, but they would not pay the working expenses, or, at all events, they would pay so little above the working expenses that they could not pay interest on their debenture debt. I want to ascertain from you what are the items on which a great saving of working expenses would accrue on those tramways; for instance, what would the average length of your lines be; would they be 12 miles in length?—It is very difficult, in looking at it, to say, but say 15.

138. Let us take, for the sake of my question, that one of your tramways would be 12 miles in length; in that case you would take 60 *l.* a week for working those 12 miles at 15 miles an hour; how many engines would you require to have?—One engine is plenty for working that.

139. If one engine broke down, you must have another?—I mean one engine is plenty for working it, but of course you would require two engines.

140. What is the annual amount which by common consent is put down for every engine working on a railway; I mean how much per annum is it calculated that an engine costs for ordinary expenses, including the driver and stoker, and also for the maintenance of the engine itself, and for its renewal when worn out; is it not the usual custom of railway engineers to put down, at least, 1,000 *l.* a year for each engine?—I know that it has been put down so, and that it, in some cases, comes to that; but I do not think that there is any fixed sum that at all represents the actual amount.

141. By taking the expenses of railway companies, and seeing what their locomotive power costs from half year to half year, I presume it is very easily ascertained what the engines cost?—It is much more generally reduced to the mileage that they run.

142. But you may gather from the accounts what each engine costs per annum, may you not?—I do not think you can absolutely with any degree of accuracy, because some railways are much better locomotived than others, and have a much fuller supply, and therefore the expenses of the locomotives would not be uniform at all.

143. It seems to me, by your calculation, that if you take a line 12 miles in length, and if you take 60 *l.* a week, thereby getting your 3,000 *l.* a year, if you require two locomotives to work the traffic upon it, the consequence is that, taking the ordinary cost of locomotives per annum, according to the acceptation of railway companies generally, you would pay more for those two locomotives than you now put down for the whole of your working expenses?—If you require two locomotives to be working upon that railway, of course, that would be so at the cost you have named. If you take 12 miles of railway simply by itself, and you have those two locomotives working on it, I think that 1,000 *l.* per annum for each of those locomotives would be entirely beyond what the cost really would be, because you would ordinarily work with only one locomotive, and thus 1,000 *l.* a year is not an admitted sum in any circumstances.

144. *Chairman.*] Can you tell the Committee what the expense of a locomotive upon those rails would be for every mile run; have you made any calculation of that kind?—The cost of each locomotive engine for its working per annum, is returned for the main line of the Belfast Junction Railway at 647 *l.*, that of the eight mile branch line to Banbridge, which corresponds fairly with that of the proposed lines on roads, 246 *l.*; that by the Irish North Western Railway on an average for 1865, 421 *l.* On my own railways about 9 *d.* a mile has been the whole expenses of the locomotive department.

145. Does that include the interest upon the cost of the locomotive repairs, and everything?—No, not the interest; but it includes the whole of the expenses of the repairs and the maintenance.

146. Will you have the kindness to furnish the Committee with the cost per mile of the working of a locomotive on the railways with which you are connected in Ireland?—On the Belfast Junction Railway main line the total cost of locomotive department, including pilotage for 1865, is returned at 10·25 *d.* per train mile, and the Benbridge Branch line, eight miles long, at 5 *d.* That of the Irish North Western Railway, 5·8 *d.* per train mile.

147. Do you think that a locomotive working upon those lines would be worked at a larger or a smaller cost than an ordinary locomotive upon an Irish railway?—I think it would not be very different; I think that the expense would be very nearly about the same; perhaps rather less.

148. Do you think that the cost which experience has shown to be the cost of working a locomotive would be a sufficient guide to the Committee upon this point?—Yes.

149. Mr. *Sherriff.*] Is not the large cost of railways

railways caused by making the gradients easy for the locomotives?—Yes.

150. I mean that in the plan that you are now speaking of, of having locomotives on ordinary roads, the great saving is that you have no formation to make, but you take advantage of a line of road already made, but which has worse gradients than an ordinary railway?—Yes.

151. Can you tell me whether the locomotive expenses are not less per mile as a railway gets more and more level?—They are slightly so.

152. Then the locomotive expenses on an ordinary railway with bad gradients would be higher than those on a railway with good gradients?—Yes.

153. With your mode of making railways, in which bad gradients are to be used, would not it follow that the locomotive expenses would be more per mile than on an ordinary railway?—It would, if the speeds were kept the same; but I believe the importance of speed upon small branch lines is so small, that if the traffic could be conducted over those steep gradients at half the speed at which the same traffic is conducted along the level portions of the road, it would accomplish the purposes of the traffic, and this can be effected without increased cost, inasmuch as by the centre rail you will get up the incline at a reduced speed without losing hold of the rail. The practical working will be this, that with the same amount of steam, and the same amount of coal used, you will carry a train of waggons, or goods, or passengers, at a slower speed over the short steep portions of the roads, and lose thereby a certain portion of time on those small lines without additional cost.

154. *Chairman.*] The ordinary weight of the trains would be much less on those small lines than on ordinary railroads?—Yes; necessarily they would be constantly going backwards and forwards taking small trains.

155. Mr. *Corry.*] If your stations are to be long distances apart, what security do you propose to prevent collisions from trains meeting each other coming different ways?—You would have but one train upon those lines altogether; those lines would hardly ever exceed 25 miles; I do not believe that in any case they would exceed 25 miles.

156. You would not start a train at one end until the train from the other end had arrived?—I suspect that one train in every case would work the traffic backwards and forwards.

157. Mr. *Sherriff.*] With regard to the permanent way, would the permanent way be a less charge for maintenance than the ordinary permanent way of a railway?—I do not think it would be much; it would be slightly less, inasmuch as the locomotive would be less heavy.

158. But would not it be somewhat more on account of your third rail?—No; I do not think it would.

159. Take England as an example; you would not say that the mixed gauge, the broad and the narrow, is as cheaply kept up as a single gauge, either broad or narrow?—No, it would not; and if there was a very large traffic upon those lines the difference of the third rail would become perceptible in the expense of the permanent way; but in many of our small lines in Ireland, the amount of the maintenance of the permanent way is limited not by the amount of traffic that goes over it, but by the fact that you cannot put less than three men, which is the smallest number that you can put in a gang, to work together on the repairs of the permanent way; you cannot put less than three men, and you cannot give them a longer distance than about three miles; and they are, in fact, able to do the ordinary business of a single line of railway in that way.

160. *Chairman.*] Will you state to the Committee the expenses of the permanent way per train mile in Ireland, taking a single line?—The average for Irish railways was, in 1864, 22 per cent. of gross receipts; it is not furnished in the returns per train mile.

161. And also any other item of comparison of the expense of those lines with ordinary lines, which occurs to you, as it would be very interesting to the Committee if you could furnish them with it?—Yes, I will do so; the items which I have given to the Committee in the estimate come to 1,756 *l.* per mile. In addition to this, there is a single line of fencing for the road, 110 *l.*, and gates, 40 *l.*, making a total of 1,906 *l.*; and I add to this contingencies 20 per cent., which is double the ordinary contingencies, making 2,286 *l.* for the first construction; and I have put the rolling stock at 300 *l.* per mile; that would be 2,586 *l.* Of course, if the line was very short the rolling stock would be more considerable, and I have put the whole cost down at 3,000 *l.* per mile. That is again, in fact, adding another 20 per cent. to bring it to 3,000 *l.* a mile.

162. Have you taken any account of any land that might be necessary?—Yes, I have taken 50 *l.* per mile for land.

163. Has the purchase of land been a large item in the expense of making Irish railways of late years?—It has, and it has increased latterly a good deal.

164. What is the number of acres per mile which has generally been taken of late years?—About eight or nine for a single line.

165. Mr. *Sherriff.*] That depends altogether, does it not, upon the character of the line?—Yes, of course it does; it varies considerably.

166. *Chairman.*] Then what would you put as the expense per acre of the land which you think may be necessary for these lines?—As to the cost per acre, I do not know what exactly it may come to on the average; it will depend so much upon what those little corners may happen to be, but that must be a small matter, because there would not be any severance; you would only take off the corners, leaving the farms in their present position. A good deal of expense is incurred at present in providing accommodation works and compensating the damage to farms by cutting them in two.

167. Would 40 *l.* per mile be too much to take for that?—I think 50 *l.* per mile would cover the land which, I think, ought to be quite sufficient for the corners.

168. Mr. *Monsell.*] How do you mean that there would be no severance?—Because in taking off the corners you still leave the roads as they were, alongside.

169. Would you in no case deviate enough from the road to make it necessary for you to provide for severance?—I think that would happen but seldom; I think you would take the corners in at the meeting of roads in almost every case; that would generally be the practical working of it.

170. General *Dunne.*] Would you alter the course of the road to follow the curve of the rails?—Not generally; but in some cases I think that

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that you would do so; I think in some cases that would be what the grand jury would very probably require you to do.

171. Mr. *Leader.*] Would you have to remove many houses along the roads?—I think not; in an occasional case that would have to be done.

172. Mr. *Monsell.*] Still there is a provision in the Act allowing you to take houses, and also to take bits of domains?—No, I do not think there is anything about bits of domains; in the original Act there was a provision preventing your taking any demesne ground in that way, and I suppose it is so now.

173. *Chairman.*] Will you have the kindness just to explain as shortly as possible to the Committee the mode of procedure which you suggest under this Bill?—It is proposed that the Board of Works should have a preliminary examination into the project, plans being lodged with them as well as with the secretary of the grand jury of the county, as provided by the first section of the present Bill, giving the Board of Works the decision as to the scale and details of those plans, and power to modify them from time to time as they saw it to be necessary.

174. Mr. *Monsell.*] Would you explain that a little more; what is the precise object of allowing the Board of Works to alter the regulations with regard to the plans?—It is, in fact, putting the Board of Works, with reference to those tramways, in the position that the Standing Orders Committee would be with regard to a Bill passing through the House.

175. The Standing Orders of the House require the plans to be prepared in a certain way, do they not?—And they modify that method from year to year, as they deem right; they have not made many modifications of plans latterly, but it is merely giving a similar power to the Board of Works to regulate the details of the plans.

176. *Chairman.*] Will you continue your description of the procedure under this Act?—Then the third section of the Bill proposes that "The Board of Works, on the application of the promoters, and upon having deposited with them a reasonable sum, not in any case exceeding 100 *l.*, to cover the expenses of such inquiry, and on being furnished by them with all such plans and documents, and information as the Board of Works may require, shall, by such fit person or persons as they shall appoint for the purpose, make inquiry whether the requirements in point of notices and forms of the said recited Acts and of the present Act have been complied with by the promoters, and also make public inquiry concerning the merits of the undertaking, to be held in or near some part of the roads to be occupied or lands proposed to be taken for the tramway, and according to the regulations contained in the Schedule A, part V, to the said first-mentioned Act; and shall report their opinion thereon, and also inquire into the tolls and charges proposed to be taken by the promoters, and may by such report recommend, if they think fit, any such modification of the undertaking as may seem to them of public or local advantage; and such report shall be made to the grand jury at the assizes to be held next after the holding of such inquiry."

177. The advantage of that inquiry is, that before a tribunal composed of professional and scientific persons, the whole merits of the scheme should be gone into, and the inquiry held in a mode, and at a place where all parties interested can come forward without difficulty, and state either their objections or their approval of the scheme?—Yes, that is the object of the clause; to inquire into the public advantage of the construction of the line, and to hear all public objections to it, as well as local objections.

178. Do you think that an inquiry of that kind could be satisfactorily conducted through the instrumentality of the Board of Works?—Yes; the Board of Works in Ireland have been for many years conducting inquiries not exactly of this nature, but of a parallel nature. They are the parties who determine the value of all land taken for railway purposes in Ireland; they appoint a person in the same mode as is directed by this section; they appoint a public arbitrator, who holds a court of inquiry near every railway, for the determination of the value of the land, and he holds a second court, after a draft award has been made, and hears the parties by counsel; and the mode of carrying out this would be just similar.

179. Mr. *Monsell.*] Then there is an appeal from his decision, is there not?—Yes, there is an appeal by traverse to the assizes.

180. Do you preserve that appeal here in this Bill?—There is a parallel dealing here; it is not an appeal from his decision, but it goes to the assizes, as a matter of course, in this case.

181. It goes to the Grand Jury?—Yes; that is to say, at the following assizes it goes to the Grand Jury, whether it is appealed from or not. It is not proposed that the Board of Works should determine the matter; they merely report upon it, whether they will recommend it or not.

182. *Chairman.*] The inquiry having been held, and the report made to the Grand Jury, what is the next proceeding?—Then, by the fourth section, it is provided, that "The Grand Jury shall thereupon appoint a committee from their own body, and refer the inquiry into the merits of the undertaking to such committee, who shall have power to adjourn from time to time, and to continue their sittings, notwithstanding that the Grand Jury may have adjourned, or have ceased to sit."

183. I believe that is a novel course of proceeding in Grand Jury practice in Ireland?—Yes, it is.

184. It has been found, has it not, that great inconvenience has arisen from time to time in consequence of the Grand Juries sitting for so short a period?—Yes.

185. And it is proposed in this case to enable the Grand Jury to depute its power to a committee of its own body in order to give further time for the inquiry?—Yes; that they shall not be hurried by the assizes, and that they shall sit from time to time, and ask for such further evidence as they shall require.

186. Mr. *Sherriff.*] In reality, is there any difference between the inquiries which will be made by the Board of Works, and the inquiries which by this Bill are to be made by the grand jury?—Yes, the general inquiry by the Board of Works is on public grounds, as to the importance of the undertaking and also the question of plans, whether the proper information has been furnished, whether the notices have been served, and whether it is advisable in an engineering point of view in their opinion.

187. But any and all those points may be taken

taken up, may they not, by the grand jury?—Yes, they may, a second time; it appoints a second tribunal altogether, no doubt.

188. Mr. *Sullivan.*] Supposing that after the inquiry held by the Board of Works they report against the undertaking as not being of advantage to the public, do you conceive that the Committee of the grand jury would have the power to overrule that decision, and come to the conclusion that the project is in favour of the public?—I do not think that that is contemplated; I do not know that there is any specific statement on the subject in the Bill.

189. I am assuming that the Board of Works inquiry has terminated adversely to the promoters, that they say, this is not for the advantage of the public; can the committee of the grand jury of the county take up the inquiry, and can the grand jury find that the scheme of the promoters is a very good one?—I dare say they might; such a thing, I suppose, is possible, but my view is that it would settle the question if the Board of Works reported against the project.

190. Is not this the scheme: that as soon as they report to the grand jury, the grand jury appoint a committee of their body to consider it?—Yes, but the grand jury have not the final decision; the grand jury could not suppose that it would be a good scheme in the face of that report.

191. If the report of the Board of Works is against an undertaking of the kind, and the committee of the grand jury reverse it and hold the undertaking to be a very good one, could not they appoint a committee of their body to consider it?—I do not know whether that is in the section; as far as I can see, I think it is open to the grand jury still to consider the matter, even if the report should be against it.

192. *Chairman.*] Do you think that that would be advisable?—If the report were against it, I do not know that it would.

193. Do not you think that it would be advisable that the Bill should be so altered that in case the Board of Works declared that the public advantages of the undertaking were not sufficient to justify its being made, that decision should be conclusive?—I think so; that is the intention of the Bill.

194. Mr. *George.*] Will you refer to the 3d clause, and say whether that does not assume all through that the decision of the Board of Works is favourable to the project, with any modification which they think fit to make, but that if they reported against it, it would never come before the grand jury at all?—It would appear so.

195. Mr. *Sherriff.*] Are not the words "and shall report their opinion thereon," and that opinion, of course, means a favourable, or an adverse opinion?—The project is, that the proceeding should stop if the preliminary inquiry by the Board of Works is adverse to it.

196. *Chairman.*] The grand jury having decided in favour of the scheme, what is the next proceeding?—It goes to the Lord Lieutenant. The committee of the grand jury under this Bill have the powers of the grand jury, and give the final decision themselves; it does not go back to the grand jury.

197. Mr. *George.*] You do not propose that the decision of the committee should go back for the approbation of the grand jury?—No.

198. *Chairman.*] The 4th clause says, "The approval of such committee shall be equivalent to the approval of the grand jury"?—That is so. The grand jury shall appoint the committee of any number; there is nothing provided as to the number, and they delegate their powers to this committee.

199. Mr. *George.*] Do you propose any particular number for the committee?—No, I do not think any number is named.

200. Do you suppose that three would be a sufficient number for the committee?—I should propose five.

201. Supposing you have a committee of three of the Board of Works, and a committee of three of the grand jury, they would then have the absolute power of approving of the entire project?—Yes.

202. Without any further reference to the general body of the coming grand jury?—Yes; but the grand jury, of course, having the appointment of their own committee, they will deal with the case in such a manner as they think will really represent their opinion; it is in their hands to appoint a committee, and it is not decided by clause how they are to appoint, or the number.

203. General *Dunne.*] Is not the appointment of the committee equivalent to the approbation of the grand jury on the merits of the case?—Equivalent to the delegation of their authority for approval or disapproval.

204. Mr. *Sherriff.*] The grand jury have no power under this Bill, but to appoint the committee?—That is all, I think, they must appoint.

205. Mr. *Corry.*] What is the reason why the question must be referred to the committee of the grand jury, instead of to the grand jury itself?—In order that they may sit permanently to discuss the question, whereas the ordinary sitting of the grand jury is over in a week.

206. Mr. *George.*] Do you see any objection to letting that report of the sub-committee of the grand jury, composed, we will assume, of three, be ratified by the coming grand jury, who would, probably, meet within two months?—I am afraid that you would defer the whole matter for half a year by that course. The object of the Bill is to endeavour to get some simple mode of dealing with the matter, and not to have the thing lying over; you would have the money impounded during that time.

207. Are you aware that now every ordinary road made in the country must have the approbation of two grand juries?—Yes; but that is not a matter which is in the same position; you have not to deal with shareholders subscribing as to a thing of this kind.

208. Mr. *Monsell.*] Do you think that there ought to be facilities for making a railroad with fewer precautions and more rapidly than an ordinary road?—This is not exactly making a new concern; it is using a portion of an existing road in a new way.

209. Mr. *Sherriff.*] It is taking land, is it not; because powers of taking land are provided for in this Bill as in the case of an ordinary railway Act?—Within our limits.

210. And railways also are within their limits of deviation, which restrict them as yours would restrict you?—Yes, but this Bill is only applicable in the cases prescribed by the 7th section, which

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which says, "No tramways shall be authorised to be constructed on lands not forming part of some public road for more than one-fourth of its whole length." That, therefore, limits us in a very material way.

211. *Chairman.*] Are you acquainted with the proceedings which are necessary before grand juries for the making of new roads?—I am not very intimate with them, but I am acquainted with them generally.

212. Do you not think that under this Bill the securities to the public, which would be afforded by an independent preliminary inquiry by the Board of Works would be greater even than under the ordinary grand jury procedure for making a new road now?—That is to say, the ordinary road sessions, and the coming before two grand juries; I think that the investigation by the Board of Works, and then the investigation by a committee of the grand jury sitting and hearing from time to time, all opposers, is a far more searching and far more thorough investigation of the question than an ordinary road sessions and the grand juries dealing with an ordinary road.

213. Is not it the case in the ordinary practice of the grand jury with regard to roads that the only investigation which really takes place in most cases takes place at the presentment sessions?—Yes, I think so.

214. And therefore, unless the road is very seriously opposed, there is practically little or no inquiry, excepting before one tribunal?—It generally passes as a matter of course.

215. Mr. *Sherriff.*] May there not be two or more grand juries before whom the matter may be brought?—No, only one; the first Act contemplated its coming before two grand juries; the Amendment Act of 1861 limited it to one grand jury, and the present Bill leaves it with one grand jury.

216. *Chairman.*] In the case of an ordinary proceeding for making a new road, is there any appeal from the decision of the grand jury to any other body?—I am not aware whether there is not.

217. Is there an appeal given in this case?—There is an appeal to the Lord Lieutenant in Council, alluded to in the 4th section, as described in one of the previous Acts, "Provided that the appeal contemplated in the said first recited Act to the Lord Lieutenant in Council in the event of the approval of any one of the grand juries, and the disapproval of any other of such grand juries as provided by the 7th section of the same Act shall be entertained, and the notice shall be given of the same, and such appeal entertained and determined, as provided by the 12th section of the same Act." That is simply in the case where more counties than one are concerned.

218. Mr. *Sherriff.*] There may be more than one grand jury to consult upon this question, may there not?—I did not understand your former question; I thought you meant two grand juries in the same county, one assizes after the other; then my answer would be different to your question; there may be two grand juries in two separate counties, and in that case if one is against the scheme, it is advisable to give an appeal to the Lord Lieutenant, inasmuch as one grand jury might have perhaps only a little corner in which they were not really seriously affected, and yet they would have the power of preventing a thing being done which was chiefly for the advantage of another county.

219. *Chairman.*] In the case of an appeal being thought advisable to be given generally against the decision of this committee of the grand jury, to whom do you think such an appeal might safely be entrusted?—This Bill does not provide for any; I do not know whether the Lord Lieutenant in Council could deal with such a case, or whether he would, but otherwise he would probably be the best tribunal.

220. Do you think that if the machinery could be devised for making that appeal to the Lord Lieutenant in Council, that would be the best authority to whom such appeal could be made?—Yes; but I doubt whether it would be practicable to have an appeal thus, it would be more advisable to have to go back to the grand jury at the next assizes, but I do not think either required.

221. Mr. *George.*] Would you approve of doing it in this way; that if there was no objection to the report of the sub-committee of the grand jury, it should pass as of course, and still further, if no ratepayer or no grand juror, or anyone connected with the county objected to it, it should pass as of course; but that if any ratepayer thought fit to lodge a traverse to the report of the committee of the grand jury, to be tried at the next assizes, it might be done in that way, and that would be in the nature of a general appeal?—The result of that would be that a traverse would be lodged as a matter of course; I am afraid it would be the same thing as putting it to the second assizes, because there would be always somebody found who would put in something for the purpose of its being bought off, if it was nothing else.

222. Where do you propose any appeal to?—We do not propose an appeal; we propose that the matter shall be thoroughly investigated by two tribunals, and I think that would be quite enough. I consider that the great fault of the first Bill, and one great reason why it never became operative, was the number of tribunals.

223. What would be the breadth of way required for an ordinary tramroad?—10 feet 6.

224. What is the general width of medium county roads?—From fence to fence they will very generally run to 25 feet.

225. Could you afford to take 10 feet or 12 feet for a tramway off an ordinary bye-road of 25 feet wide in a county?—I think so; I think that if you leave 15 feet of road, you will do very well in most of those roads; a 15 feet road would be very fair; 18 feet is an ample road for the ordinary traffic in the country, and many roads will afford 10 feet 6, and still leave 18 feet.

226. Do you know what is the narrowest road that a grand jury presentment can be made for; do you happen to know that 21 feet is the least?—No, I think not; many of them are not metalled to anything like that. I do not think that there is any law upon the subject.

227. Mr. *Sherriff.*] This Bill does not provide that there shall be any minimum breadth left for the ordinary roads of the country?—No, we propose to leave that to the grand jury to deal with. The grand jury will only permit the tramway to be made, on condition of a certain width of road being left for the use of the public, and that may be provided for in any way that might be thought desirable.

228. *Chairman.*

228. *Chairman.*] The principle of this Bill is, that the roads being the property of the public, the grand jury representing the public for that county, are supposed to be the proper persons to have the power to dispose of a portion of those roads, in a manner which is thought for the public advantage?—That is the principle of the Bill.

229. And it leaves the whole of the details of the undertaking, as well as the necessity and the merits of it to the grand jury to be disposed of?—It does; and it seems to me that they are the tribunal really interested in the matter as conservators of the public interests in the county with regard to the roads.

230. Mr. *Sullivan.*] According to the Bill, as it stands, the decision of the Committee of the grand jury is final, and without appeal, if the tramroad is in one county?—Yes, that is so.

231. What objection would there be to have a traverse to a special jury at the assizes, tried before the judge upon the merits of the undertaking at the next assizes before a special jury of the county?—Then you would hang up the proceeding for six months, that is the objection.

232. Mr. *George.*] In fact, if you were to enact that a person traversing unjustly should be liable to the costs incurred by that traverse, would not that be a great check upon any person traversing unjustly?—It would be some check, but we know that with regard to traversing for land damages, that although the damages are now limited to 20 *l.*, and they cannot traverse beyond 20 *l.*, that does not prevent a very large amount of traversing which is often done, with the expectation of being bought off.

233. Mr. *Sullivan.*] Are you aware that most of those traverses succeed?—No, on the contrary I do not think that they do succeed.

234. What is the proportion of traverses against the decision of the Board of Works which succeed?—It is a matter of statistics which I could not state.

235. You are quite aware, are you not, that in the Act of 1861, there was an express traverse given on the merits of the undertaking to be tried before a special jury, and a judge of assize?—Yes, there was that power given in the Act of 1861.

236. *Chairman.*] Do you believe that in the face of such a power as that, you would ever get persons to undertake the risk of the heavy preliminary expenses which would be necessary under this Bill?—I am afraid that upon that point, there would be very great difficulties in the way, because the committee of the grand jury will be sitting after the judge of assize has left, and it could not be dealt with at the same assize; it must go over for another.

237. The object of the traverse, I presume, is to form an easy remedy for a person who is aggrieved?—Yes.

238. Has not any person fancying himself aggrieved an ample opportunity of going before either of those tribunals, the preliminary inquiry by the Board of Works, or the subsequent inquiry by the grand jury, and stating his case?—He has, and after both of them, supposing the line to be authorised, he has his question of damages then to be dealt with over again; if he is personally injured in any way, there is that question of damages to be decided afterwards.

239. Mr. *George.*] Where is that done; before what tribunal?—That would be done by the ordinary powers of the Board of Works; an arbitrator would be appointed, a draft award made, and a final award made; the party has two opportunities of having his case heard, and he has the traverse to the assizes from the arbitrator as to the value of the damage. All the ordinary legislation with regard to taking land is brought in here with regard to that.

240. Where is that done; are the Lands Clauses Act, and the Valuation of Lands Clauses Act, which you allude to, incorporated with this Act, so as to enable a party aggrieved by a portion of his land being taken to recover the value of it?—They are; it is in the 19th section of the old Act of 1860, which is to be unrepealed by this Bill.

241. And you intend the Companies Clauses Act to apply to those new tramways, and also the Lands Clauses Act and the Railways Clauses Act (Ireland)?—Yes, and "The Railways Act (Ireland), 1851." That "Railways (Ireland) Act, 1851," is the Act under which all land for railway purposes is taken in Ireland, and it was renewed in 1861, and under that Act every person aggrieved has his compensation.

242. *Chairman.*] So that in reality the remedy for persons aggrieved under this Bill, and the Acts which it incorporates, is far greater than it is under the ordinary Grand Jury Acts with respect to the making of ordinary roads?—Yes, no doubt that is so; because in an ordinary case of Roads Sessions the grand jury settles the compensation and all; the whole question is dealt with at once. In this case the party has two tribunals to which he may subject the whole thing from its foundation, and if the court is against him, then he has two tribunals and a traverse as to the amount of compensation that he has to get.

243. Mr. *George.*] That is limited solely to the amount of compensation, is it not?—Yes.

244. There is no appeal whatever given against the project itself after the Board of Works and the committee of the grand jury have decided in favour of it?—That is so, with the approval of the Lord Lieutenant; the approval of the Lord Lieutenant is necessary.

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245. Mr. *Monsell.*] Will you state to the Committee what your present position is?—I am at present Under Secretary for War.

246. At one time you were connected with the Railway Department of the Board of Trade?—Yes, for 13 years.

247. During that time you made a tour in America, very much for the purpose of seeing, the working of American Railways?—I did.

248. And this report which I hold in my hand, I believe, is the report which you made when you returned from that tour?—Yes.

249. Have you looked at the Tramways (Ireland) Acts Amendment Bill?—I have looked through the Bill shortly this morning.

250. Are

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250. Are you aware that under the Tramways (Ireland) Acts which exist at present, locomotives are prohibited from running along tramways?—Yes, I am aware of that.

251. And it is proposed in this Bill, that "it shall henceforth be lawful to use locomotives as well as animal power in the working of the tramways authorised under this and the said recited Acts"?—Yes, I have seen the clause to that effect.

252. The Committee would be very much obliged to you if you would give them the advantage of your opinion as to the advisability of that alteration?—Provided the speed of the locomotives is limited, I do not see why locomotives should not be employed for traction on tramways; at the present time, locomotives are allowed, under certain restrictions, to pass on common roads. My own opinion is, that those restrictions are rather excessive at the present time; but still, of course, you could not have a locomotive proceeding at a high rate of speed, and drawing anything very heavy after it on a common road, or any tramway such as is contemplated by this Bill; but if a low rate of speed is maintained, I cannot see any reason why a locomotive should not draw carriages, just as well as a horse does. I think I should not recommend such a high rate as 15 miles an hour as is put in the Bill.

253. Will you mention what the limitations are at present by Act of Parliament with regard to locomotives going on common roads?—I think the limitation is four miles an hour.

254. Are you aware of the different precautions that are obliged to be used?—I believe that they are obliged to send a man in front some few yards walking with a red flag in front of the locomotive.

255. Mr. *Sherriff.*] Have they not to stop on meeting other vehicles drawn by horses?—Not between the hours of ten at night and six in the morning. During the day, I do not think they are allowed at all in London; I have always met them at night.

256. But in the country they are allowed, are they not, in the day time?—Each place has special restrictions. The Secretary of State, I think, is authorised under the Act to issue special restrictions in each case.

257. But they go at four miles an hour, and there is to be a man in advance?—Yes, that is so.

258. *Chairman.*] Those are ordinary traction engines travelling on ordinary roads?—Yes, without rails.

259. Mr. *Monsell.*] Do any of the American railways go for any distance along public roads?—They pass along the streets in some of the towns; in Detroit, I think, they pass along the streets, and in Baltimore they go along the streets. There the engine, as far as it could, went along the streets, but when they came to a point in the streets where the curves were too numerous, they had to take off the engine and draw them by horses. In New York, I think they go along the streets, to a certain extent, with locomotives.

260. Is there not some two or three miles of railway somewhere along the Delaware river that runs along a public road?—I cannot be quite certain as to that railway between Philadelphia and New York.

261. Do you know what the limitations are with regard to the speed of locomotives?—The limitations are very various; I think they have very little limit in that respect except from the nature of the case.

262. I think that the American minister told me that six miles an hour was the limit?—I cannot state that exactly; I know that each state has separate laws upon the subject

263. Have you ever yourself seen locomotives going along the public roads at a considerable speed in America?—No; they never go along the public roads in America at great speed because they are obliged to ring a bell, and if they run over anyone they are liable to pay compensation unless they can prove that there has been very great carelessness on the part of the person injured; but, as a rule, they would have to pay compensation, and that I was always informed by railway managers was a strong inducement to make them take great precaution.

264. Is the part of the public road which the locomotives run over in America, fenced off from the rest of the road?—Those of which I am speaking were not fenced off; but if they were fenced off, I assume that you would call them railways; those of which I have been speaking were in streets, and occupied part of the street.

265. It would depend a little, would it not, upon the nature of the fence, because it might be merely a wire paling?—Still if it would be sufficient to keep cattle off, or to keep anything off, one would consider it a fence.

266. I believe that in this Bill it is contemplated to have a wire fence, is it not?—Yes.

267. *Chairman.*] Probably you are aware that it is proposed to leave that to the grand jury?—Of course, if there is a fence between the railway and the road, there is less necessity to limit the speed to such a low rate.

268. Mr. *Monsell.*] Assuming there was to be a fence such as I have mentioned, at what rate do you consider that, with due consideration to the safety to the public, a locomotive might travel?—That would be more a question for the road, because I do not apprehend that there would be anything in any speed which the road was able to bear which would cause danger to persons or the portions of road by the side of the railway.

269. Take the question of screens, are you aware that there is very stringent legislation at the present moment with regard to putting screens in dangerous places?—Yes, but my experience is that screens are not of very much use. I think that horses are just as much frightened by the noise behind a screen as they are when seeing the trains; I know roads which run parallel to railways for a considerable distance, where there are no screens whatever, and the railway is raised a little above the height of the road.

270. Still, as you are aware, every year there are many cases in which railway companies are obliged to put up screens?—Yes, but that is not the case where the railway runs parallel with the road, I think, but where the road passes under the railway, and where the trains come suddenly running at right angles; in that case there is some chance of horses being frightened.

271. Assuming it to be necessary to impose some limitation with regard to the speed, do you think that it would be easy to enforce that limitation; do you think it would be easy to prevent engine drivers going faster than a rate at which they were by law allowed to go?—I think the limitation would act in this way, that if the engine driver was proceeding at a very high speed, and any

any accident happened, of course it would fall upon the company who were the proprietors of the engine, to make compensation in case of accident.

272. Is it not a fact that in America it is found quite impossible to compel the engine drivers to limit their speed to the rate which is prescribed by the laws of the different States?—I always found that they went slow in America, their roads were so bad.

273. Mr. *Sherriff.*] Is it not really found impossible to do it; supposing the company published a time table in which 15 miles per hour was taken as the rate of speed, and that there are certain stoppages operating along the journey, is it not the case throughout that the time is made up in places where the running is possible to be made?—No doubt an engine driver does make up time in that way.

274. Is it possible, supposing they start at the proper time, and arrive at the proper time, to find out where the extra running has been made?—The way in which I imagine that the limit would operate would be rather, if you placed a limit upon the speed of say something under 15 miles, or 10 or 12 miles, any person almost would be able to form an opinion as to whether the engine was running at a very much higher speed than that, say 20 or 25 miles an hour; and if any accident happened in consequence of the high rate of speed you would hold the proprietors responsible; if horses were frightened or carriages upset you would hold the proprietors liable to pay compensation to the person who was injured through it.

275. But is it so much the speed as the smoke and noise of the engine that frightens the horses?—I think the speed has a good deal to do with it; I think that if a train comes into sight very rapidly and passes off very rapidly, a horse gets very much frightened at the mere speed; that is my experience; and that when a horse comes to a station and sees an engine going slowly along, it does not mind it nearly so much.

276. Mr. *Monsell.*] Do you know anything yourself of French legislation upon the subject?—No; I know that they have adopted lines for Chemins de Fer des vicinaux, as they are called, but I cannot give the Committee any accurate information with regard to them. They are, I understand, to be a cheap sort of railway.

277. Do they, as a matter of fact, run railways along the public roads in France?—That I cannot tell you, except that there are some tramways, I think, for horses.

278. Do you know any other country except America in which locomotives run along the public roads?—No, none; I think you will find that there are places in the north of England where they have roads which are used a good deal for foot-passengers as well as for coal lines.

279. Mr. *Sherriff.*] That is to say, foot-passengers use those railroads?—Yes; I imagine that they had been laid down many years before any legislation about railways took place.

280. *Chairman.*] Are you acquainted with the conditions which are imposed upon new railway companies by the Board of Trade?—Yes.

281. Do the Board of Trade now object to new lines of railway being made close alongside the public roads?—No; the Board of Trade does not object, because the Act of Parliament is settled by a Special Committee of the House of Commons upon it.

282. But do the Board of Trade, as a public Department, never raise an objection of that kind to a railway?—Never; their only power of reporting is with reference to level crossings and bridges, and things of that sort.

283. Then that is not supposed to be an element of danger similar to level crossings?—No; it has never been held so. It has never been referred to the Board of Trade by the Standing Orders of the House of Commons or the House of Lords.

284. Are you acquainted with the railways generally in England?—Yes.

285. Do you know many instances where lines of railway run quite close to the public road?—I know some instances.

286. Have you heard of any accidents taking place in consequence?—No.

287. Is it not the case that horses are very often frightened by railways crossing over the public thoroughfares on bridges?—Yes, undoubtedly.

288. Does it not take place constantly in London with the numerous bridges which cross the thoroughfares in this city?—That I have not any experience of. I have no doubt that they get frightened.

289. But horses can not only hear the noise of the trains but can see the engines in many instances in the City of London?—Yes.

290. Has any objection ever been successfully made to the working of such lines as those for that reason?—No, I apprehend not. Some railway companies have been obliged to screen their bridges; but I do not think that coming straight upon a railway bridge is the same case as going along a road parallel to a line of railway, because if a horse can see a train coming up to it on one side or the other that is a material element in preventing its being frightened; but in the case of crossing a railway at right angles, when a train comes suddenly in front of the horse it frightens it very much more.

291. You think that a horse is more likely to be frightened by an unscreened railway train crossing the high road than he would be meeting a train running along a line which was coming up parallel to it?—I think so.

292. The noise would be very much greater, would it not, in crossing the bridge?—Yes, the noise and the sudden appearance of the railway train is what frightens the horse, I think.

293. Mr. *Corry.*] In America, in the cases which you have mentioned, are the streets where those tramways are laid down generally of considerable width?—Yes, they have very wide streets in America.

294. Much wider than a common road in England?—Much wider than the streets in London are generally; indeed, they are quite as wide as some of the wider streets in London.

295. Is there any considerable width of the street fenced off for tramway, or does the other traffic come up close to the tramway?—Where the tramway exists the other traffic comes up close to it.

296. Did you ever hear of any accidents happening in those streets in America?—I never heard of any, but I was not there very long.

297. Is it not the case that horses are less liable to be frightened in crowded places than in a solitary road?—Undoubtedly, that is so.

298. You mentioned that in England there were

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were instances of tramroads or railroads which are used by foot-passengers; are there any instances in England where such roads are used by carriages and horses?—I do not recollect any; I do not know how it is on the quays at Birkenhead and Liverpool, and such places, which would scarcely come under the same category.

299. In the cases in which railways have been constructed close alongside the roads, has there usually been a screen between the road and the railway, or not?—No, I am speaking of cases where the railway runs alongside the road, and where there is no screen whatever. On the Shrewsbury and Hereford line I think there is a very long length of three or four miles of road running by the side of the railway.

300. Are the road and the railway in very close contact?—They are very close together.

301. As close almost as possible?—Yes, there is a fence between; for a great many years it was nothing but a paling, and I think the railway was a little bit raised, with a slope down.

302. Still, in such cases, there would be a much greater distance than there would be between a carriage and a train on a tramway on a road 25 feet wide?—Of course, there must be more distance than that, because the road itself, which I am speaking of, is probably 25 feet wide.

303. In the case of a road 25 feet wide, of which 10 feet would be railed off for a tramway, do you think there would be no risk of accidents from the close vicinity of the road to the tramway, in that case only 15 feet of road being left?—That is very close together, but I do not see why you should have any accident from frightening the horses, in such a case, if the train is going very slowly.

304. What is the maximum speed which you would consider safe on those tramways?—If they were railed off I should have thought that, as far as horses being frightened and carriages overturned were concerned, a speed of from 12 to 15 miles an hour need not be objected to.

305. Mr. *Sherriff.*] Is there any possible means of restricting the speed to 15 miles an hour at any individual portion of the line?—I cannot see how you can restrict them to that, except by making them liable to compensation in case of any accident from a higher speed being used.

306. Mr. *Sullivan.*] Within what period could you stop a locomotive engine on one of those tramways, supposing the rate of speed to be 15 miles an hour?—I apprehend that you might stop in a very short distance indeed.

307. In how many yards, say, could you stop, assuming the engine is going at 15 miles an hour, of course taking an average state of line?—If you have got a train with plenty of break-power upon it, going at 12 to 15 miles an hour, it ought to be stopped within 50 or 60 yards, I suppose, on a level, or perhaps less even than that.

308. Mr. *Corry.*] How would you meet this difficulty; if a house is close to the side of the road, on the same side as the tramroad, how would the communication be kept up between the house and the road?—I should think that it would be very inconvenient for the person living in the house; you must then provide him a level crossing.

309. He might have his cart standing, might he not, for various purposes at his door, and would be directly in the middle of the tramway?—Yes, I think that would be a very inconvenient arrangement.

310. Can you see how that could be remedied?—I do not see very clearly how you are to prevent it; if he wants his cart to come and stand close to his house, I do not see how you can prevent its coming on to the tramway.

311. *Chairman.*] Would it not be necessary, if the tramway is fenced, to have a double gate, one entering on the yard, and one entering on the roadway?—Clearly; it would be necessary that he should have a crossing.

312. Mr. *Sherriff.*] Then, there would be a great variety of level crossings?—Yes; I suppose so.

313. Mr. *Sullivan.*] It was with regard to level crossings that I addressed that question to you about the speed; those tramways that are now contemplated to run alongside our public roads, many of them on the level, of course will cross on the level a great many of the country roads that cross the main roads?—Yes.

314. Do you think that the locomotives employed on those tramways, going 15 miles an hour, could be conducted with safety to the public crossing on the level all the highways in the country?—Looking at it in that way, I should feel inclined to limit the speed that they run at much less than 15 miles an hour, if there are to be such a number of level crossings.

315. Mr. *Corry.*] What limit would you assign?—I should not like them to go at more than an ordinary speed of, perhaps, six to eight miles an hour. If you are going to have a system of tramways which are to cross all the roads on the level, and on which there are to be no people to watch the gates, or no gates kept closed, and which, of course, if there was nobody to watch them, would be left open, certainly you had far better adopt a very low rate of speed indeed; you might make a clear distinction between a tramway and a railway, and make the tramway more as a feeder to the line of railway.

316. *Chairman.*] In case the principal roads were gated in the ordinary way, and the other roads were gated by having a gate across the railway, the train stopping for the conductor to open the gate and shut it again as the train went by, then all of those objections would be got rid of, I presume; your objections to the level crossings only apply to the unfenced level crossings?—No, they apply to the crossing of a tramway of that sort on the level, where such a speed may be used as would prevent a train from coming to a standstill, in case a cart or a horse, or anything, came across it unexpectedly in front of the train.

317. But supposing the gates on the public roads were attended by persons, and that the gates that were not attended by persons were made across the line, instead of across the high road, necessitating the stoppage of the train to open and shut them, do not you think that if those two requirements were fulfilled, all those objections would be done away with, and that then 15 miles an hour would not be an extreme rate of speed?—If you could insure that, they would always stop.

318. They must stop if the gates were shut?—But they may run through them as they used to do on the railways.

319. Mr. *Sherriff.*] Supposing that those tramways

ways were, in fact, compelled to adopt all the rules which apply to railways, and that all gates or level crossings had some persons to attend to them, would not the expense of a line so constructed be very much greater than an ordinary railroad?—I should apprehend that you would have an immense number of level crossings, and in that case, therefore, an immense permanent expense added to your line. Level crossings are really very expensive in that way, from having to keep porters and signalmen at them.

320. *Chairman.*] Perhaps you are not aware that in this proposal it is intended to stop frequently, and stop principally at the cross-roads now, and that the gate would be opened by the conductor, and shut again as the train went on; and in the other cases, when it was not intended to stop, it would be proposed to have gates like the ordinary railway gates, attended by persons to open and shut them. If those requirements were fulfilled, I apprehend that all the requirements of an ordinary railway, with regard to level crossings, would be fulfilled?—I have no doubt that you could insure safety in that way; but still I think it would make it a very expensive line for working.

321. Mr. *Corry.*] If the speed were only the ordinary speed of travelling on roads in conveyances drawn by horses, the advantage to the passenger traffic would be very small, would it not?—I apprehend that the advantage would chiefly be in places where there was a large traffic; it would be in the less expense of traction for the goods, and for carrying people; and they ought to carry people at a lower rate, I suppose.

322. It would be an advantage for goods, but there would not be much gain as to passengers?—No, not much gain for passengers, certainly; probably you would have a little more certainty as to speed.

323. Mr. *Laing.*] Would not it be better to leave the question of speed as one of the rules which the local authority, the grand jury, should decide like others, as the circumstances would be so very various?—Yes; but if you do not limit the speed, I do not see in what way these tramways are different from ordinary railways, unless you make some special provision for them.

324. Say within a certain maximum; we may assume that a speed of beyond 15 miles an hour would not be safe in any case, and you may say that the speed shall be such, not exceeding 15 miles an hour, or as shall be laid down by the regulation of the grand jury, with appeal to the Lord Lieutenant in Council, from time to time?—The speed which you might consider should be the highest speed, might be fixed, leaving it to the grand jury to name any speed that they liked under that.

325. The circumstances might vary completely in different tramways; there might be one case where there were no houses built close upon it, and where there were few level crossings, and where there was a considerable passenger traffic, and there might be another case where all the circumstances were reversed?—Yes, exactly so.

326. Mr. *Sherriff.*] If an accident occurs on an ordinary railway, whatever the speed of the engine may be, I take it that the company are responsible for it unless negligence is proved on the part of those who suffer?—No, the negligence must be proved against the company.

327. Supposing there is a level crossing, and that a vehicle is on that level crossing, and that a railway train is going across that crossing and commits damage, are not the company liable?—Yes.

328. Whether the speed be 15 miles or 30 miles?—I do not know that they would be liable on a level crossing in that case.

329. Is it not understood and laid down as a rule, that in crossing a road the railway company shall take care that the road is protected against the railway?—Yes; I was thinking of occupation crossings at the moment; but it is as you say on ordinary roads.

330. If the grand jury were to step in and arrange for a speed of 10 miles an hour, or whatever it might be, would not that take the entire responsibility off the company if they were not working at more than 10 miles an hour?—Not at the level crossing, I apprehend; I apprehend that you would say that if any accident takes place at the level crossing, it must be in consequence of your going at too great a speed in approaching it under any circumstances.

331. That is not provided for in this Bill, I believe?—I think it would be very desirable to provide for it in that way.

332. *Chairman.*] I apprehend that the speed which could be fixed would be only the maximum speed?—Only the maximum speed, and with a view of distinguishing the tramways from the ordinary railways of the country there ought to be a speed fixed which would clearly distinguish the one from the other; I mean if you wish to take tramways out of the category of ordinary railways, otherwise they should be subject to the regulations which have been already sanctioned by Parliament and the Board of Trade.

333. Mr. *Laing.*] Do you not think it would be desirable that there should be power in some local authority to reduce the rate of speed if it were found necessary after it was first fixed; as I understand the Bill, if once sanctioned by the grand jury, they would be allowed to run up to 15 miles an hour if they chose to do so, but supposing experience should show that on a particular tramway they could not safely go beyond five miles an hour, should there not be a power in the local authority to reduce the speed?—I quite agree that it would be very desirable to leave it to the local authorities to reduce the speed at any time when they thought it necessary.

334. The granting 15 miles an hour speed should not be granting it in perpetuity?—Exactly so.

335. Mr. *Leader.*] Do you see any special reason why greater facilities should be given to locomotives to run upon a tramway than upon a common road?—No; my own view is that we are a great deal too restrictive about locomotives on roads now; that the trade of the country requires that we should be able to employ locomotives largely on roads where they can be found of advantage for the transport of heavy goods; I believe that in a few years we shall get much less restrictive in our views upon that subject.

336. Mr. *Laing.*] Is not the entire destruction of the body of the road one great objection to allowing locomotives to run at any high speeds on common roads?—Of course, where you have a great weight you must have very broad wheels, but where they have very broad wheels they rather improve the roads than otherwise.

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337. *Chairman.*] How are those lines which you have been speaking of worked in America; are they worked somewhat as omnibus lines?—No; in many cases they are worked as ordinary railways, only when they come to a town they come along the streets.

338. Is it necessary to have a platform to get into the carriages?—No, the carriages are made differently in America; you get in at the ends, and they have steps which come down to within a foot of the ground, so that passengers can step up without any platform at all.

339. That would be the most convenient mode of construction, I presume, for short lines such as we have been talking of?—I should think, for passenger lines in Ireland, it would be by far the best mode of construction.

340. It would not be an inconvenient plan?—Not the least; I thought it very convenient.

341. For carriages where they wanted to stop frequently at cross roads, and places of that kind, it would be the most convenient mode of construction?—By far the most convenient; in America they have no one at all at any of the level crossings to watch them; they have plenty of level crossings, but they have nobody to guard them, and they have no gates generally; there is a board stuck up to say, "Look out for the cars when the bell rings," and the man on the engine rings a bell as he comes along.

342. Is that custom prevalent all through America?—It was prevalent throughout the whole of the northern part of America when I was there, which was the only part that I travelled through.

343. The crossings are very seldom bridges?—Very seldom.

344. And where they are not bridges, have they no gates?—No, or if they have, they are generally left open.

345. There was no instance of a gate being made across the railway line itself?—I do not recollect any.

346. Or to prevent cattle from straying on the line?—No, they do not prevent it; they do stray.

347. Mr. *Monsell.*] Do not they run a ditch across the railway?—They have at the level crossings generally a sort of framework of wood, made of bars of wood, which the cattle have to walk across, and they do not like walking across those bars, unless they are driven, and therefore that prevents them in some places from straying on the line.

348. Mr. *Corry.*] Have there been no accidents from cattle straying on the lines in America?—Yes, numbers.

349. I mean to the cattle or to the passengers?—Generally it has been to the cattle, because they have an arrangement in front of the engine, which is called a cow-catcher, to strike the cow and throw it off the line to the one side or the other.

350. Then it would seem as if they had much more regard for the lives of cattle than of Christians?—But they have to pay compensation for the cattle; and the trains that I have been travelling upon, often had to come to a standstill, in order to get the cattle out of the way, especially on the western lines, namely, the Illinois and such lines.

351. Mr. *Sherriff.*] Are those things which you would recommend to be adopted here?—Where you have a low rate of speed, I think that you can easily prevent cattle from being injured, as long as you can stop the train. I am looking at these tramways as a sort of line which is to be merely an adjunct to the ordinary roads of the country, and if you keep a very low rate of speed, so that no accident need occur from it, I cannot see why, in order to assist the traffic, some arrangement of that sort could not be adopted. Those tramways should never be made so as to supersede the principal railways.

352. *Chairman.*] I believe that the straying of cattle upon the ordinary lines, is not quite unknown in this country?—No, we have had some very severe accidents from it; one of the worst accidents on the London and North Western Line occurred from a cow straying on the line.

353. Do you think that those accidents would always be avoided by going at such a rate of speed that you could pull up in, we will say, 30 or 40 yards?—I think they could be avoided, where you could pull up in 30 yards.

354. Of course the great object in going slow as regards accidents, would be to go at such a pace, that you could pull up very quickly?—Exactly so, and that rate of speed should be the one to be adopted, I think.

355. And if by the use of the middle rail, or by very strong break power, great power of stoppage could be obtained, of course that would reduce the chance of accident very much?—Yes, but I never should like the rate of speed to be very high, because if your apparatus for stopping gave way, an accident might occur, and any arrangement like that of a central rail, introduces great complication into the machinery, and every complication introduces the chance of accident.

356. Still, in descending gradients, the central rail would be of great assistance to stoppages?—If you are going at a very slow speed down an incline you can stop in a short time.

357. Mr. *Sherriff.*] Does not the complication of the machinery increase the weight of the engine?—Yes, very much; and there would be, of course, another element of danger, and a very important one, the distance in which a train will stop is a question of weight as well as of speed.

James Barton, Esq., recalled.

J. Barton, Esq.

358. Mr. *Corry.*] You heard me ask Captain Galton a question about the difficulty in respect of houses close alongside the tramways; can you give any explanation upon that point?—Yes; in general, the houses that are immediately upon the road, just upon the very side of the road, are of a very small and poor class; no good farmer's house is without its area in front, at all events, even if it is upon the road, without any lane leading to it; they all have an open space in front upon which their carts stand, and it is generally the place where their offices are on the side of the road, or else they stand endwise to the road; the case of a house, or even a cabin, standing with its door right upon the road is a very exceptional case, and only in the case of the very poorest houses,

houses, and where that would be the position of the houses, they would probably have to be removed and paid for.

359. Are they not in some districts very numerous along the road-side?—Not in that position; you find them generally either endwise to the road, or extending back some little distance from the road, 20, 30, or 40 feet, forming a sort of little yard in front; they do not stand right out on the road, except where the road runs through a town.

360. You are acquainted with the north of Ireland; do you know such a place, for example, as Newtown Stewart?—Yes, I know it.

361. In such a place as that, with narrow streets, the houses come right on the road, do they not?—In such a case as that, I think we should deviate, and not go through the town; that would be what I should propose to do in some of those lines which are marked upon these maps; where they pass certain towns we could run at the backs of the houses and come in again upon the road; I do not think that it would be advisable to have the tramway going through towns generally.

362. Mr. *George.*] You stated the width of the tramway to be somewhere from 10 to 12 feet, did you not?—Yes.

363. What width would you consider it safe to leave outside the tramway for the ordinary traffic of the public on perhaps a not leading road?—I will not suppose the narrowest; but from 15 to 21 feet, I think, according to the class of the road, should be left clear.

364. On this plan, there are three or four instances given of the narrowest width left for a public road being 18 feet?—Yes, I think that would be about the average.

365. Do you consider that much less than 18 feet of width would be safe for the ordinary farm traffic of the country, that is to say for two country carts to pass, and for people riding or driving cattle?—In 15 feet, two ordinary carts can comfortably pass.

366. Would you approve of the proviso that in no case should the space of road left for ordinary purposes be less in width than 15 feet?—I do not see any objection to putting that in the Bill; at the same time, I do not know of any case where I should expect the grand jury to allow it to be less than that; as it stands now in the Bill they have the entire power of saying what quantity of width must be left.

367. General *Dunne.*] Therefore, you trust the whole to the grand jury?—Yes; by the Bill as it stands, the Board of Works may say, We consider that 18 or 20 feet are necessary, and if they do say so, it is then for the promoters to say whether they can under those circumstances do it.

368. Mr. *George.*] Are you not aware, of course, that a very large proportion of the by-roads and country roads in Ireland are not 21 feet?—Not nearly 21 feet a number of them; but in general those tramways would not be running upon by-roads, they would be roads from town to town, which are more of the class of leading roads; for instance, the one mentioned by the noble Chairman some time ago, the one from Dublin to Baltinglass was a main coach road.

369. *Chairman.*] I believe that that road is between 60 and 80 feet wide, is it not?—Yes, and I believe only one omnibus comes along it; the traffic comes round other ways.

370. Mr. *George.*] Is there not generally on the roads in Ireland waste land enough between the macadamised part and the fences to make a railway?—Yes, I believe that is so, as is shown upon one or two of the sketches which I have produced, and it is that which would be utilised in many cases. They would put a vertical fence, instead of a wide mound and ditch fence, which is now upon the edge of many roads. You would use part of the mound and ditch fence for the railway, which would involve the use of a very small portion of the road.

371. Even in the case which I put of those by-roads, which are not so wide as the Baltinglass-road that you speak of, by utilising the waste portion of the road, and perhaps going in upon the line of the fence, you might, in very many instances, get the 10 or 12 feet which is necessary?—Yes; at all events, the little strip that might have to be taken in addition, would not injure the farm; it would merely be taking off so many perches from a man's field, and you would be in no case dividing his field or altering his farm.

372. You think that the public would be sufficiently regarded if there were a proviso in the Bill, that at least 15 or 18 feet should be left for the ordinary road traffic of the country independently of the tramway?—Yes. I think, indeed, it is hardly necessary to go so far, because there might be cases where some small road, in reality, is only 12 feet, we will suppose, now, and a portion of it might have to be used for any one of those tramways, and it would be an unnecessary provision to provide that you are to have from 15 to 18 feet in such a case. We have some such cases on public roads crossed by railways, and there is a provision in that case that if the present road is not wider than a certain width you are not obliged, under the ordinary railway legislation, to make it wider.

373. You are probably aware that, under the provisions of the Irish Grand Jury Act, all presentment roads must be certainly 18 feet, if not 21 feet wide?—No, I am not aware of that.

374. Mr. *Corry.*] You must be aware that it is very common in the boggy parts of Ireland that the roads are a considerable elevation above the level of the bog on each side?—Yes.

375. Do not you think that the companies in such cases ought to be compelled to erect substantial fences, so as to prevent the danger, if a horse shied, of the carriage being thrown over into the bog?—I think that those would be just the cases in which both the Board of Works and the grand jury would say, We will not only require you to fence off the railway in those particular parts, but we will require you to put a fence on the other side of the road, as they have done in the Mont Cenis case.

376. General *Dunne.*] In a case of that kind do you think that any company would go to such an expense, or ever propose to put down a tramway under such circumstances?—Yes; the additional fence would be a matter of 1 *s.* 3 *d.* a yard, and it would be only for short distances; it would be only in the case of bogs; it would not be in the case of long distances; the grand jury would not require them to put a fence all along the other side of the road, if it is properly fenced on the one side of the road; but supposing there are 100 yards exposed of a raised

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road of that kind, they would say for 100 yards from such a point to such a point you must put an additional fence; but that would be a matter of only a few pounds.

377. Mr. *Sherriff.*] You have put the expense of making a line at 3,000 *l.* a mile, and you have put 50 *l.* a mile for the land?—Yes.

378. You have stated that in cases where the tramway would have to pass through villages or towns in its route, you would avoid the highway, and construct the tramway at the back of the houses?—Yes.

379. With that expense in view, do you think that 50 *l.* a mile for land is anything like that which it would cost?—I think it is, because in estimating I suppose that the acre of land that you have to take is not ground next the town, but, for the most part, corners and pieces for widening, with an occasional diversion from the line of road; if it were, then 50 *l.* a mile would not be sufficient.

380. If you are to avoid towns or villages altogether you must make a detour, and make a longer line of it; and if you make a shorter line you would have to take more valuable property?—In some cases you would alter the line to avoid a town, and in some cases, of course, there might be a detour. I think, on an average, 50 *l.* a mile ought to cover it. There would be cases of particular lines of those tramways in which it would not cover it, but in other cases there would be little or no land to get.

381. Colonel *Dunne.*] How many square perches on the average do you think you would take in?—I am supposing about an acre per mile.

382. Mr. *Leader.*] Do not you think that you would require two fences instead of one in such cases?—No.

383. Will you take the present fences?—Yes; in some cases, where you take away the fence of the road, and you will have to widen the road a little, you will have to put an outside fence as well.

384. But do you only put down 110 *l.* a mile for fencing?—Yes, that 110 *l.* is taking only one fence throughout, which is on the supposition that some of them would not require a fence; however, even if it were double that, it would still bring it within the amount that I have estimated, inasmuch as I have left between 300 *l.* and 400 *l.* for contingencies, besides 20 per cent.

385. Mr. *Sherriff.*] Have you an item for engineering?—I have put on contingencies of 20 per cent. to cover all that; these lines would not require much engineering.

386. *Chairman.*] From your knowledge of railway enterprise, do you think that if those powers were given to the grand jury you would find promoters ready to come forward and make those lines?—I believe you would; there have been parties already speaking about it who, I believe, would at once come forward and endeavour to make some of them, and upon their success, of course, would depend the larger development of the system.

387. And do you think there are many cases in which companies having already possession of statutory powers might, by joining their present statutory powers to the powers of this Bill, carry out their project, which, under any other circumstances, would be wholly impossible?—I believe there are, and that they would be able to open up branches which they do not do, and could not now do with any advantage at all.

388. And that by availing themselves of their statutory powers in the neighbourhood of towns, and of the powers given by this Bill in the remoter portions of their lines, they might be able to complete their project to the great advantage of the public?—Yes.

389. Mr. *Laing.*] Are the existing railway companies generally for or against this Bill?—As far as I am aware they are for it; we have not heard of any opposition from any of them to the Bill; I have spoken to two or three leading railway managers, and they were quite in favour of it; and I have not heard any statement against it.

390. Mr. *George.*] Is it proposed by this Bill to make a tramway between two points where there is an existing line of railway or an Act in existence enabling a railway company to make a railway?—No.

391. Are you aware that there is a proviso in the first tramway Act expressly providing that a tramway shall not be made between any two points where an existing railway company is empowered by law to make a railway?—Yes.

392. And is that power in that Act to remain in force; you do not propose in any way to interfere with that limitation?—No; that clause remains.

393. Mr. *Sherriff.*] I thought you showed the Committee a case where a tramway was to go between two points where there was railway communication already?—I do not think that that case would interfere with the clause; of course, those lines on the map before you are suggested lines of mine; but the clause to which you refer is, "Provided always that it shall not be competent to make applications for a tramway or tramways under the provisions of this Act to unite places between which statutory powers for making a railway or railways for directly connecting the same shall have been granted and be in force."

394. Where they are incidentally connected with railways, they might be a competing company?—Yes, some cases of competition might arise, and that is a matter about which the railway companies would have an opportunity of making their statement, and being heard.

395. I refer now to the Act of the 23 & 24 Vict., c. 152, the original Tramway Act, and I find at the end of the first clause this proviso, "Provided always, that it shall not be competent to make application for a tramway or tramways under the provisions of this Act to unite places between which statutory powers for making a railway or railways for directly connecting the same shall have been granted and be in force, you do not propose by this Bill to interfere with that provision of the general Tramway Act?—Not in any way.

396. You are of course acquainted with Mr. Dargan?—Yes.

397. Are you aware that that is his view with regard to those tramways, that if that provision in the Tramway Act is preserved that no tramway shall be made between any two points where there is either a direct railway or powers by an Act still in force to make it, he would highly approve of the powers to be granted by the Tramway Bill?—I was not aware that it was so,

so, but I remember hearing that he had stated some such opinion to the former committee.

398. General *Dunne.*] In a case where the grand jury and the people of the county allowed that it would be a public advantage that a new line of tramway should be run, according to the present Grand Jury Act, through one of the ordinary roads, would you have any objection to that?—Does the Honourable Member mean to take it off the road altogether?

399. Yes.—I think you would do away with one of the very important things in the Bill if you attempted to construct tramways in that way; you would then be making an ordinary railway.

400. *Chairman.*] What the Honourable Member wishes to ask is this, whether you see any great objection to giving the same power to the grand jury to authorise the making of a tramway as they have now for authorising the making of an ordinary high road?—Provided it be a local railway, I do not see any objection, but that is just the point; the object of limiting it to a public road is to keep it in the class of minor railways. If you allow that the grand jury can make an ordinary railway from one place to another without any reference to the roads, you then put into their hands the power which Parliament has had altogether in its own hands, of dealing with the question of general competition; and if you come to that, large public questions arise at once upon it, but where you limit it to those second class railways which cannot be made to compete with the ordinary railways, and limit them as to speed and so forth, you then confine the question to a local one, and then, I believe, you are safe in leaving it with the grand jury.

401. Take the case of a railway company itself wishing to obtain at a cheap rate a certain feeder of a short length, do you think there would be any objection in principle to such a railway company applying to the local authorities for leave to make a high road in the shape of a railway, using all the precautions, and going through all the forms that are necessary for an ordinary road?—The question would just arise whether, if that were allowed, it would not be a powerful handle in the hands of a grand jury to thereby create competitive lines with the main lines of the country, under the guise of small branches, the beginnings of main lines.

402. General *Dunne.*] Could not you very easily limit it to that?—If you could limit it I do not see any objection to it.

403. Mr. *Sherriff.*] That is to say that the local authorities are so much better acquainted with the wants of the locality that they could deal with the question a great deal better than Parliament?—I think so; I must say, from a good deal of experience of committees, that very often the local question is not the question that is so much considered; it is more the larger questions that are considered, and very often local interests are put aside.

404. *Chairman.*] You think that, if that definition of a local line could be accurately laid down, there could be no great objection to such a principle as that being adopted?—No, I think not.

405. Mr. *George.*] Do not you think that that would be quite sufficiently guaranteed by that proviso at the end of the first clause, that no tramway shall be made between any two points between which the powers for making a railway exist?—To a great extent it would; and the limitation of the speed would also be a great point, but a great deal of question would arise upon the word "directly."

406. With regard to the evidence which you have been giving in reply to the Chairman, that you thought that power ought to be left to the Board of Works and the grand jury to make tramways, on the ground of their not being public roads, do you see any utility in preserving the proviso at the end of the 17th clause of the present Bill, "But no tramways shall be authorised to be constructed on lands not forming part of some public road, for more than one-fourth of its whole length;" do not you think that a sufficient guarantee would be given to railways, by the first clause of the original Act, and do you think it desirable to retain that proviso?—I think that perhaps it might be safely omitted.

Friday, 29th June 1866.

MEMBERS PRESENT:

Mr. George Clive.	Mr. Monsell.
Mr. Corry.	Lord Naas.
General Dunne.	The O'Conor Don.
Mr. George.	Sir Colman O'Loghlen.
Captain Jervis.	Mr. Sherriff.
Mr. Leader.	Mr. Sullivan.

THE RIGHT HONOURABLE LORD NAAS, IN THE CHAIR.

The Right Honourable the Earl of BANDON (attending by permission of the House of Peers), Examined.

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407. *Chairman.*] YOUR Lordship has given some attention, I believe, to the question of legislation with regard to tramways in Ireland?—Yes; I have taken a great deal of interest in the former Bills, for I am personally anxious for tramways, which have never been able to be carried out under the previous Bills.

408. Will you have the goodness to state to the Committee what, in your opinion, have been the reasons why the former Bills are inoperative?—The former Bills were inoperative from being so complicated; the machinery was too complicated, and the time it took was nearly as long as getting a Bill through Parliament. There was very little facility for getting money to make the tramways; in fact, from the complicated nature of the first Act, I know a great many people who endeavoured to get up a case for tramways, but they found the machinery impossible to work. The second Act, the amended Act, made it a little less complicated than the former one, but still, every one that I have had any communication with, gave up the undertaking of making a tramway under that Act, because they found the machinery impossible to work.

409. And you have no reason to believe that any undertaking will be commenced under the present Acts?—I am perfectly certain that no undertaking will be commenced under the present Acts.

410. Is your Lordship of opinion that additional facilities for the creation of cheap railways in Ireland would be a great public advantage?—I am perfectly sure that nothing would do so much benefit to Ireland as the establishment of a cheap railway system, or, if that cannot be carried out, of tramways. The want of railway communication has been a great impediment to the improvement of Ireland, as far as my own experience goes. If the Committee will allow me, I will state an instance in my own neighbourhood, where, for many years, we have been endeavouring to get a tramway constructed near the town of Bandon, within five miles of the town of Bandon; the Bandon river is navigable for vessels of about 300 tons or more; at high water there is about 18 feet of water; about 70 vessels come there in a year, and there are about 10,000 tons of produce brought in, and the same exported. There is a large traffic in coals, and there is a great export trade in corn and other things; at present, they can scarcely take more than one load during the day, and that at a considerable expense. If a tramway were constructed to that place, it would not only increase the trade of Bandon, but, with the railway opening now to the western part of the county of Cork, it would make an export trade from the West Riding of the county of Cork. I am perfectly convinced that a tramway would pay; but under the existing law, it would be absurd to think of undertaking anything of the kind.

411. Is there any portion of the public roads in that locality which you think could be with advantage made available for laying a tramway or a railway upon?—The quays would form a very good instance of that; at the present time there are two roads leading to the same spot, one along the banks of the river, and the other more inland. Those two roads are not both of them required, more especially as there are cross roads, which would enable parties to get to the side of the river; one or other of those roads might, with the greatest advantage to the public, be given up; and that is one of the things that we are anxious about, to get facility under some Act of Parliament to enable the grand jury to give up one of those roads, absolutely so, that it would be used for no other purpose; there was no necessity for both those roads ever having been made. One of the roads, which is by the river side, is perfectly level, and you might lay down a tramway on it at the present time.

412. There is a railway at present to Bandon, is there not?—Yes; there is a railway from Cork to Bandon, and there is a railway open now from Bandon to Dunmanway.

413. Would there be any difficulty in connecting this short tramway or railway that you speak of with the existing railway?—No; the existing road comes within, perhaps, 100 yards of the railway, and you would only have to construct a small piece across a field to bring it to join the railway.

414. I suppose it would be a great advantage to the trade of the neighbourhood, if a communication were made in the way which you describe between the railway and the place where the sea traffic gets to?—Yes, the greatest benefit; perhaps I might also mention that the Bandon river flows in from the Kinsale Harbour, so that if there were a tramway and an export trade created from

from Bandon, it would probably lead to an important trade to Kinsale.

415. On the whole, it would be not only a great benefit to the town of Bandon, but to the surrounding neighbourhood?—To the whole of the West Riding of the county of Cork.

416. General *Dunne*.] You are speaking of the road from Bandon to Innishannon?—There are two lines; you might carry it along the road the whole way by Innishannon and the Bandon river, to the quays at a place called Kilnacsimon; or else there is a direct road from Bandon without going through Innishannon; either of those would do very well.

417. *Chairman*.] Have there been any statutory powers obtained for making a railway from Kinsale to Bandon?—There is a railway to Kinsale at the present moment open, but it does not go near Bandon; there is a railway from Bandon to Cork, and the Kinsale railway meets it half way at right angles.

418. Mr. *Corry*.] At a place called Ballinhassig?—Yes.

419. *Chairman*.] So that this proposed line, which you think would be of so much advantage, would not interfere in any way with any existing railway line?—I think it would rather benefit the existing Kinsale railway, because the more traffic that is brought to the Bandon river the more chance there is of the Kinsale railway paying, which hitherto has not been well managed, and has not paid.

420. Mr. *Monsell*.] Would the whole of the railway go along the public road?—It might do it.

421. In that case have you not the power of doing it already without any Act of Parliament at all, under the Railway Construction Facilities Act of 1864?—Yes; but not a tramway.

422. You have the power of making any railway where you please, so long as it is made of the authorised gauge; that would be the only difference?—I am not aware that that is so.

423. Mr. *Sherriff*.] I think you stated that the reason why the present Acts have not been any substantial benefit has been that the mode of getting the powers was complicated?—Yes.

424. But is there not also something in this, that the traction power, being limited to horses, has been one reason why promoters have not taken the trouble to make any application?—Yes. I was speaking rather of the machinery of the Bill, and not as to the alteration in principle; for, of course, every one is anxious that facilities should be given to use locomotive power.

425. Inasmuch as the applications is rather complicated, and the making of the road rather expensive, the benefit to be obtained by merely using horse power has, in truth, deterred parties from going to that expense?—Yes, certainly.

426. *Chairman*.] Do you think that, in the case which you have mentioned, if such a line were made, it is probable that locomotives would be used upon it?—Yes, certainly; it would, in fact, form a branch of the West Cork Railway.

427. Mr. *Sherriff*.] In the case you have mentioned, there could not be any doubt that it would be as good a railway as possible for the locality through which it goes; it is level, and you might have the road entirely for the railway, and, consequently, it would be to all intents and purposes a branch railway?—Yes.

428. *Chairman*.] Your Lordship was proceeding to state that there were some other localities in the country with which you are acquainted, and which you think would be favourable to such enterprise?—Yes; in the eastern part of the county of Cork there is the flourishing town of Midleton, a branch of the Cork Harbour and Ballinacurra river, which runs as far as Ballinacurra, which is about a mile and a half from the town of Midleton; and it would be the greatest advantage to have the power of making a tramway there.

429. Is there any public road there which you think would be available, either wholly or in part, for making a railway?—I have no doubt there is. I cannot speak from experience. I could also mention, that in the western part of the county of Cork there would probably be numberless cases where such tramways would be of use. A railway is at present in course of construction from Dunmanway. There is is to be a branch from Dunmanway to be made to the town of Skibbereen, and a tramway might be made from Skibbereen to the harbour of Baltimore, which is about from four to six miles, which would be an excellent fishing station. An ordinary railway would perhaps scarcely pay, but a cheap tramway might easily be laid down.

430. Do you think that there would be any objection to making use of a portion of the public road for such a purpose as that?—I am sure there would not. In fact, a tramway going by the side of a public road would be no real damage to the road.

431. Even although the carriages were worked by locomotive power?—No. Perhaps it may in some cases frighten horses; but the West Cork Railway, for the first six miles to Bandon, runs on the side of the public road, and it might just as well have been put on it at once.

432. What distance is it from the public road?—Not above two or three yards.

433. Have you heard of any accidents taking place in consequence?—The railway has been only opened about three weeks, but I do not apprehend that there will be any accidents.

434. Mr. *Sherriff*.] It is fenced off from the high road, is it not?—It is, but by merely wooden posts, with iron rods.

435. Not screened off?—Not in any way screened off.

436. *Chairman*.] It is fenced by wooden posts, and an open wire pailing?—Yes.

437. When that railway was projected, was there any opposition made on the score of danger that was likely to arise to the ordinary traffic upon the road?—No objection was made, nor has any objection since been made by the county surveyor.

438. Mr. *Corry*.] Is that railway on the same level as the road?—Yes, on the same level for a great part of the way; some parts are higher.

439. *Chairman*.] Do you also think that the great public advantage which would be obtained by making use of the public roads, which would be available for the purpose of tramways, would amply counterbalance any inconvenience that might arise from frightening horses and passengers?—I am certain that the benefit to the public would be so great that it would counterbalance any possible inconvenience of that kind.

440. You are of opinion that if such an Act were passed, which gave facilities to the grand jury for allowing persons to make use of the road

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for this purpose, it would be considerably availed of?—I am sure it would.

441. It would be made considerable use of by the public?—I am quite sure, that if a simple Act were passed, enabling the grand jury to grant those powers with machinery, that could easily be carried out, but you would have it availed of in numberless cases.

442. Mr. *Corry.*] Do you know the width of the road which you were speaking of, alongside of which the railway runs?—About 18 feet, I should think. I am speaking of the road to the west, to Clonakilty from Bandon.

443. *Chairman.*] I believe it may be admitted that Ireland is pretty well provided with arterial lines of railway?—I do not think that we are quite of that opinion in the county of Cork; we have got a railway as far as Dunmanway open, and there is a Bill to grant a company power to make a railway as far as Skibbereen; but in the county of Cork I think it absolutely necessary, not only for the private benefit of the country, but for the public good, that a railway should be made to Bantry, one of the most important stations; and also there is a strong feeling in the county of Cork that the harbour of Crookhaven is better suited than any other harbour in Ireland as a port of call; and there was an intention by some parties to get up a company to make a railway to Crookhaven, if it had not been for the pressure on the money market this year. There has also been this year opened a railway from Cork to Macroom, but they are also of opinion that that requires an extension further to the west. If I am not trespassing upon the time of the Committee I would state, that by making a junction from the Macroom line to join the West Cork line, and then go on to Crookhaven, and also by making a communication with the Great South Western line at Blarney, you might have a railway constructed perfectly level, and you might go at the rate of 50 miles an hour if it was necessary, and six hours would be gained in the transmission of American mails if they were landed at Crookhaven, instead of Cork.

444. Mr. *Sherriff.*] Would that railway be made upon the high road?—No; I am speaking of arterial lines; I was asked whether there were any arterial railways still wanted in the county of Cork.

445. *Chairman.*] Even supposing that those arterial lines were made, of which you have spoken, the smaller local lines would, I suppose, in your opinion, be a considerable advantage?—The making of those arterial lines involves the making of small lines hereafter, for which this Bill would be available.

446. Do you think it would be possible to expect that those small lines would pay if they were made at the usual expense of the principal lines; that is at the rate of from 7,000 *l.* to 13,000 *l.* a mile?—No, I do not think they could pay if they were made at that rate; the Macroom railway, which has been just completed, has been made, all expenses included, for 6,000 *l.* a mile. The West Cork line, as far as Dunmanway (whether it was *bonâ fide* money I do not enter upon here), I believe it has cost 17,000 *l.*

447. Mr. *Sherriff.*] That is a contractor's line, is it not?—The West Cork is a contractor's line; the other line, the Macroom line, has been made for 6,000 *l.* a mile. I may also mention to the Committee, that what we are anxious for in Ireland is to have cheap lines of railway made upon the same principle as those that are made in Norway, and also those that are made in the mining districts in Wales. An engineer mentioned to me the other day that they have now some gauges of not more than two feet, and that the passengers sit back to back on the principle of an Irish jaunting car.

448. I dare say your Lordship is aware that there are railways in Wales upon a very narrow gauge, but that the conveyance on such a narrow gauge has been found so inconvenient that it has been widened; a narrow gauge railway, I think you will quite agree, should only be made where a broad one is impossible?—I am quite of opinion that it should be made as broad as possible; I am only speaking of cases where you cannot get a better. I might also mention to the Committee that in the West Riding of the county of Cork there are extensive veins of slate which are now being worked, and for which these tramways would be available.

449. *Chairman.*] You think that, for such lines as these, it would be desirable to leave the question of gauge open, so that railways on different gauges might be made, such as were suitable to the locality?—I think so. I might also mention to the Committee that, supposing the railway is carried on to Crookhaven, as a packet station, or a port of call, for it is greatly frequented by wind-bound vessels now, it would pass within four miles of Bantry, and it would also pass along the shores of Dunmanus Bay. I know an instance of a small village of my own, on Dunmanus Bay, where there is a vein of slate, extending several miles in that district, and where, if the railway is extended, it must involve a tramway for the slates being hereafter made. And in the same way, in going to Crookhaven, that railway would pass within four miles of Skull Harbour, which is a very good harbour for small vessels, and outside which is Long Island Channel, in which any fleet could lie.

450. Mr. *Sherriff.*] Do you not think it would be better if the slate tramways which you speak of, going up to the slate quarries, and conveying slates to the railway, were of the same gauge as the railway, and consequently the slates would not require to be unloaded into other waggons, where the break of gauge commenced?—I think it would be most desirable that there should be the same gauge upon the tramway as upon the railway system; I am only speaking of cases where it is impossible to carry out all that one can wish.

451. *Chairman.*] Still, if it was clearly for the advantage of the railway that the usual Irish gauge should be maintained, I should think that the promoters would be the best judges of that?—Yes, and that would be very advantageous, of course.

452. Mr. *Sherriff.*] But it would leave it in the power of any grand jury to interfere with the Irish gauge as at present laid down, by granting different gauges according to the desire of the promoters, if they agreed in that desire?—I do not think I made myself quite clear. What I was alluding to was merely the necessity of lines of railway as they have been made in Norway and Wales, but I was not advocating that the same gauge should be carried out in Ireland.

453. *Chairman.*] I believe you have had considerable experience, as a grand juror?—Yes, I

was

was on the grand jury for the county of Cork for 25 years, and half of that time foreman.

454. Have you considered the provisions of this Bill as regards the simplifying of the mode of procedure as compared with the former Tramways Act?—I think it is very much simplified.

455. Do you think that the preliminary inquiry that is proposed by the third clause, to be conducted by professional and scientific persons, would be an advantage?—Certainly.

456. Are you of opinion that it would be a very good mode of directing the attention of the grand jury to those points which they themselves, as non-professional persons, would not probably be very well acquainted with?—Yes, and the grand jury have very little time to attend to any extra business.

457. It is proposed by the Bill to give power to the grand jury to appoint a committee of their own body, which committee would have more time to consider the questions which would arise, and to hear objections to the scheme; do you think that that would be advisable?—I think that it would be very desirable, because it would enable the committee so appointed to meet after the grand jury had separated.

458. You are aware, of course, that it is a novel procedure as regards grand jury practice generally?—Yes.

459. Do you see any objection to it?—None whatever.

460. Mr. *Sherriff.*] Is there any other local body to which there would be so few objections to giving the powers sought for in this Bill?—No, I do not know of any local body that could do it; the boundaries of the baronies are so different, that I do not think you could find any other local body; I think the grand jury is the best body to appoint; in fact, it leaves the selection larger if you leave it with the grand jury, and they have the power of appointing persons who are more impartial.

461. Mr. *Monsell.*] Do you approve of dispensing with the power of traverse altogether?—Certainly; I think there is every security given without it.

462. *Chairman.*] Do you think that retaining the power of traverse would materially impede the proceeding under the Bill?—I think it would; it would certainly delay it six months.

463. General *Dunne.*] Would you not approve of a traverse for damages?—In the event of the grand jury granting it upon a public road, the grand jury have granted the road, and then there could be no traverse.

464. If they made the road wide enough, many instances might occur where they would take additional land; would you give a traverse for the value of that land, or give the absolute power of taking it at any price that the Board of Works might fix?—I think that probably it would be such a benefit to the landowner, that he might well bear the giving up of the land.

465. *Chairman.*] Are you aware that the "Lands Clauses Consolidation Acts" are incorporated in the Tramways Bill?—Yes.

466. And therefore all the machinery for the compulsory taking of land would be applicable under this Bill, that is to say, arbitration, and all the other various proceedings?—Yes.

467. Do you think that that would be a sufficient protection to the landowners, which would justify Parliament in dispensing in such a case with the traverse?—I think so.

468. Mr. *Sherriff.*] The retaining the power of traverse would add considerably, no doubt, to the expense of the construction of such tramways?—Of course it would add to the expense of the construction; there would be the legal expense of the traverse.

469. I mean that by placing the construction of tramways in precisely the same position as railways in respect of many of the roads, very probably there would be a large number of claims arising from interfering with the frontage of property, which would not perhaps occur in the case of common railways: if it could be proved to your satisfaction that an ordinary railway could be made at 6,000*l.* a mile, and that the kind of tramway of which we are now speaking would cost at least 3,000*l.* a mile, which would you prefer, a tramway so made, acknowledgedly with bad gradients and sharp curves, or a railway at 6,000*l.* a mile, which might be made a railway of a kind which would allow of quick locomotion?—Of course I should prefer the one made at 6,000*l.* a mile; but the question is about getting the money.

470. That is the question in both cases?—Yes, of course; but you may be able to get 3,000*l.* where you could not get 6,000*l.*

471. I take it that in those undertakings there would not be any chance of their paying if it could be allowed to be done, but if the chance of payment of a line costing 6,000*l.* was double that which would occur on one costing 3,000*l.*, I suppose your Lordship would be of opinion that those who wished to invest money would invest it in the undertaking which would be most likely to pay?—I think that if it could be proved to the promoters that a line made at 6,000*l.* a mile would pay better than a line made at 3,000*l.* a mile, and that you had the money forthcoming, they would adopt that course.

472. *Chairman.*] In fact, those lines could only be justified on the principle that no other sort of lines are likely to be made?—Just so.

473. Mr. *Monsell.*] I think you stated that you considered that that portion of the road which was to be applied to the purpose of the railway should be fenced off from the rest of the road?—It ought to be.

474. Have you considered any mode of dealing with the rights of persons inhabiting houses along the side of a road which was fenced off from the railway, and which would be cut off from the rest of the road altogether?—In the case that I am speaking of, of a tramway from Bandon to the Deepwater, that would not occur very much.

475. The principal object contemplated by this Bill is both using an existing line of road for a railway, and also reserving its use for the purposes of an ordinary road; and the question I ask you is, how would you deal with the houses which were situated upon the side of the road, and upon the same side of the road as the fenced off portion which was intended for the railway?—Of course there might be injury in that case: for instance, if it was proposed to make a tramway at a place like Monkstown, near Cork; but all that would be provided for by the grand jury, I should think, or the committee of the Board of Trade would not pass it in that case.

476. Do not you think that the owners of those houses ought to have some means or other provided for them by which they could present

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the grievance that they would be subjected to in case of the tramway being constructed?—I should have almost thought that the Board of Works would be sufficient, and that if there was any objection they would not sanction it; it is an exceptional case, I should think.

477. Along the very line of road that you now speak of, are there not houses?—I do not myself know any case where it would be likely to be objected to.

478. Still, ordinarily speaking, is it not the case, that along the lines of road which you speak of there are a considerable number of houses on both sides?—But the tramway might be constructed at the side which would not do injury to the houses.

479. But unfortunately there are houses on both sides?—I cannot answer that question.

480. *Chairman.*] The proprietors of those houses would have two opportunities of raising their objections; one at the inquiry by the Board of Works, and the other before the committee of the grand jury which is to be constituted under the Bill; would it not be quite possible for the grand jury to take such means by providing that the promoters should erect gates where necessary; and in the case of small houses, even rebuild them in a more convenient position, and give facilities to the promoters for arranging with those persons before they passed the line. There would be no difficulty about that, would there?—No.

481. Mr. *Sherriff.*] Except the expense?—One advantage, I may say, of taking the public roads for those tramways would be, that you have not the expense of purchasing land; according to the existing law in the case of the quays on the Bandon River that I am speaking of, more than one-half of the two roads which are made to the quays goes through my property; when those roads were made, if I had asked for compensation I should not have got a 6 *d.* from the grand jury; but while the grand jury have the power of taking this land from me for making those two public roads, I have no power of giving land to any tramway company, because of the existing law, without their paying for it, although I would gladly give it to them.

482. Mr. *Sullivan.*] Take the case of Dunmanway which is placed at the terminus of this line running from Bandon to Dunmanway; you are quite aware that under the present proposed Bill if a tramway was proposed to be made from Dunmanway to Skibbereen along the public road, supposing the Board of Works reported in favour of the inquiry and the committee of the grand jury approved of it, you could run a tramway along the public road from Dunmanway to Skibbereen, assuming of course that there is no railway or other line of tramway from Dunmanway to Skibbereen along the public road?—Yes, you might do that.

483. And that tramway could be used by locomotive engines?—Yes.

484. That road from Dunmanway to Skibbereen crosses a number of public highways on the level, does it not?—Yes.

485. Under this Bill locomotives are proposed to go at the rate of 15 miles an hour; and wherever the tramway crosses a public highway on the level that public highway would be exposed to the tramway, and cattle going along the public highway can go up and down the tramway; then you shall have four sets of gates at every crossing, that is to say you shall have two sets of gates upon the highway which it crosses, and two sets of gates on the tramway?—The present railway that is being made probably cuts every road that the other would.

486. Not upon the level; under the present railway law you cannot cross a carriage way on the level except by Act of Parliament; you must get Parliamentary power to cross a carriage highway on the level; but, under this proposed Bill, the tramway with a locomotive working it would cross every carriage highway on the level?—I can scarcely say how that is to be worked.

487. Mr. *Leader.*] Do you think that the 4th section, taking all power from the grand jury, and giving it over to the committee, is a fit way of legislating, the grand jury having only the power to appoint a committee?—They practically do so in very important questions by appointing a committee.

488. *Chairman.*] Do you think there would be any objection to that?—I do not think so; the most important financial questions are generally submitted to a committee appointed by the grand jury, who report to the grand jury, and the grand jury generally act upon their decision.

489. Mr. *Leader.*] The grand jury have the power of reversing the decision of their committee if they think fit, and they sometimes do exercise it?—Yes.

490. Mr. *Sullivan.*] In that respect the grand jury have a veto over the decision of the committee; but in the case of this Bill the power of the grand jury is committed to the persons forming the committee?—Yes; then the grand jury would not appoint such persons as they had not confidence in.

491. Mr. *Corry.*] Would there be any objection beyond that of delay, to having the decision of the committee referred back for approval to the following grand jury?—That would involve six months' delay, which would be an objection.

492. Would there be any other objection?—No other that I know of.

493. *Chairman.*] It might be referred back to a very different body, might it not, from the one which originally referred it to the committee?—In the case of the grand jury of the county of Cork, from the large size of the county, it is very seldom that any man is twice in a year on the grand jury, so that you would refer it back to a totally different body.

494. Mr. *Sullivan.*] The grand jury, according to the usual practice, meet, do they not, for fiscal business some days before the assize is opened by the judges?—Yes.

495. Is it not the rule, in the county of Cork, for them to meet five or six days before the assize?—They generally meet about three or four days before; the sheriff seldom summons them earlier than is necessary.

496. Could it be possible to arrange it so that the committee of the grand jury could meet and hold an inquiry so as to give a traverse upon the merits of the undertaking to the then assizes?—I think it would be scarcely possible, because it would be taking the committee of the grand jury away from their other duties if it was during the time of the transaction of the fiscal business; and I am happy to say that there is so little criminal business now, that the grand jury are seldom kept above a day and a half after the criminal business commences.

497. Then

497. Then a traverse would involve a postponement to the next assizes?—Yes; a traverse would involve a postponement to the next assizes, and it would give an appeal to a totally different body from the former grand jury.

498. Mr. *Leader.*] Under this Act, the grand jury have no other power than of appointing a committee; do you think it is right, in a question like this, to take the power away from the grand jury and give it to a committee of, say, three or five, or whatever the number may be; is anything like that ever done at present?—I think that this is an exceptional case.

499. General *Dunne.*] Do you not think that, instead of making it imperative upon the grand jury, if you made it optional; if, in fact, the appointment of the committee was the acceptance of the road, would not that answer all the purposes?—It appears to me, as far as I read the Act, that the grand jury will have the opinion of the Board of Works before them; therefore they will be competent, before they appoint the committee, to give a general opinion upon the merits of the line, and the committee will be appointed more to go into details than into principle.

500. But the Act makes it imperative to appoint a committee, does it not?—Yes, it does.

501. *Chairman.*] You are of opinion, I presume, that it would be undesirable that the grand jury should entertain a project of this kind which had been rejected by the preliminary inquiry of the Board of Works?—Yes; they would be dealing very much in the same way that a Committee of either House of Parliament deals with a Report from the Board of Trade.

502. Mr. *Corry.*] If I read the fourth clause correctly, if the Board of Works sanctions a line, the grand jury are then compelled to appoint a committee to inquire into it; would it not be advisable that the grand jury should have the power of either adopting or not adopting the report of the Board of Works?—They should have the power of appointing a committee only, if they see a *primâ facie* case in favour of the tramway.

503. If they chose to do so?—Yes.

504. Do you see any objection to that?—No, I do not. I do not know whether that comes within the scope of this Bill, but there is a power very much required for enabling the county surveyor or the grand jury to sanction the laying down of rails across public roads in the case of private tramways. I have seen it done in the case of many slate quarries, and it is winked at now; but there is no possible power enabling them to do it.

505. *Chairman.*] You think that a clause to that effect might be advantageously introduced into this Bill?—Yes, I think so. I know that in Dunmanus Bay, a company, who are working a good slate quarry there, have laid down a tramway across a public road, and the county surveyor has not objected to it; but there are no powers under the existing laws to legalise it.

506. Mr. *Leader.*] Supposing the first grand jury appointed a committee, do you think it fair that a subsequent grand jury should have the report of that committee, and decide upon it?—I have already ventured to state to the Committee, that the objection to that would be, that it would involve a delay of six months, and that the appeal would be not to the same grand jury who directed the report, but to another grand jury which, as in the County of Cork, would be composed of totally different men.

507. Mr. *Sullivan.*] But the grand jury would hear the merits of the scheme for the first time in either case, because the grand jury are not supposed, when they appoint a committee, to go into the merits of the scheme, but they appoint a committee for the purpose of doing so; therefore the next grand jury would be just in the same position as the first one, because neither of them would have heard of it before?—If I am not mistaken, under the first Tramway Bill, the plan was adopted as is done in the case of public roads not above 50*l.*, that it was to be passed by the session, the report to be certified by the grand jury, and passed a second time; and in the second amended Tramway Bill that was found so inconvenient, that it was only required to go once before the grand jury.

508. Even if this scheme were carried over for six months, there will be no more time lost than is now employed in getting an Act of Parliament for any scheme?—No; but I think from my own experience of many years in the House of Commons, as well as in the House of Lords, that the whole of our railway legislation might be greatly improved.

509. Mr. *Leader.*] Do you think that such a tramway running along a public road with two strong fences, such as would be required in Ireland, would not be a matter of very great inconvenience to people residing along the line?—I think that the public advantage would be so great, that it would counterbalance any little private inconvenience; and I can only say that, with every precaution that the Acts of Parliament take to prevent persons trespassing along the line, they have not been able to do it on the West Cork Railway; we may provide against it, but in nine cases out of 10, it will be evaded.

510. General *Dunne.*] Do you not think it might be done with advantage to the public, to give a right to the grand jury to present, for short lines of railway in a totally new line wherever it was wanted, on the same terms as the county roads?—I should be delighted to see anything of that kind done; the old-fashioned system does not suit the present day; for instance, in the County of Cork; and we have probably too many roads, because, first of all, they made the roads across the tops of the hills, then they took an intermediate level, and then they at last took the proper one; what we want is, the power of making in some way or other cheap railways, in the same way as we used to make cheap roads.

511. In fact, the way the roads are laid present engineering difficulties which would stop many necessary undertakings?—I am not sure of that; in the county of Cork there is scarcely any new road work ever presented for which is not opposed; I recollect at one assizes it took us four hours to discuss one small road that was very seriously opposed.

512. Mr. *Sherriff.*] Do you think if a Bill of this character were passed, which would give to the Board of Works and to the grand jury the power of allowing branch railways to be made instead of having to come to Parliament for power to make them; if that power could be exercised, would it not to a very great extent render the use of any of the public roads in the manner contemplated in this Bill to be almost unnecessary?

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necessary?—That would be very possibly the case, but I should be sorry to defer the Bill until Parliament made better arrangements for railway legislation.

513. I mean supposing clauses could be introduced into this Bill?—I do not see that there could be any possibility of introducing such clauses; I wish that the whole system of our railway legislation, as I said before, were altered, and that we were spared the enormous expense that we are now put to.

514. I am speaking of branch lines, not of trunk lines?—I should prefer leaving the Bill as it stands.

515. Mr. *Monsell.*] Would not the object which the Honourable Member suggests be accomplished by a simple alteration of the Railways Construction Facilities Act, to which I have referred your Lordship, because the only difference between that and the Act which has been suggested by the Honourable Member is that all the landowners and other persons beneficially interested must be consenting to the making of the railway; therefore the object would be accomplished by simply repeating that clause of the existing Act of Parliament, and giving the grand jury the power to take lands compulsorily for the railroad, just as they now have the power of taking land for a common road?—I am afraid that we should be only endangering the present Bill.

516. My object is not with reference to whether the present Bill should be passed or not; but it is whether or not that particular object which has been suggested to your Lordship would not be accomplished by the repeal of those few words in the existing Act of Parliament?—I think it would be very desirable if that were amended.

517. Mr. *Sherriff.*] The repeal of the words suggested by the Right Honourable Member would give the power of approval to the Board of Trade; would not the grand jury, locally acquainted, as they must be, with the circumstances of the country, be a much better tribunal to judge of the necessity for such a railway than the Board of Trade can be?—I think so; because the Board of Trade is here very much in the same position as the Board of Works in Ireland; it would involve considerable expense; an inquiry would be first made by the Board of Works, and then, if there was an appeal to the Board of Trade, the whole matter must be gone over again.

518. Mr. *Monsell.*] The Board of Works is not referred to at all in the Act which is submitted to your Lordship?—No, I am not aware that it is not.

Colonel WILLIAM YOLLAND, called in; and Examined.

Colonel *W. Yolland.*

519. Mr. *Monsell.*] WHAT position do you occupy?—I am one of the Inspectors of the Board of Trade.

520. How long have you been inspector?—About 12 years.

521. You are a Colonel of the Royal Engineers, are you not?—A Lieutenant Colonel of the Corps of Royal Engineers.

522. Will you inform the Committee what precautions, under the existing Railway Acts, are required to be taken against accidents?—The Board of Trade have power, under existing Acts, on the application of the local authorities, to order the erection of screens wherever they may think proper; that power is largely exercised at the present time. The applications are very numerous, but they are not always recommended by the inspecting officers of the Board of Trade to be carried out.

523. Mr. *Sherriff.*] Alongside public roads as well as bridges?—On both, over bridges and adjacent to public and turnpike-roads.

524. Mr. *Monsell.*] There are railways now, I believe, which run alongside of public roads for considerable distances?—There are some.

525. In those cases do you require high walls to be built between the public road and the railway?—In some cases we require screens of one kind or other erected, and in others we do not; it is dependent upon what we imagine to be the risk to which the public travelling on the road are subject.

526. Do you consider that in any case where a railway runs alongside of the public road screens can be altogether dispensed with?—That entirely depends upon the distance and position which the public road occupies with reference to the railway; for instance, a railway may run 20 or 25 feet above the public high road, and in such cases to require a screen would be of no practical utility whatever.

527. Take the case of a public road running nearly on the level alongside of a railway, we will suppose for a mile; in that case would you, according to your practice, require a screen to be built or not?—If it were close alongside, in all probability a screen would be asked for.

528. Mr. *Sherriff.*] And on the level?—Yes, and on the same level.

529. Mr. *Monsell.*] Have you read over the Bill which is submitted to the consideration of this Committee?—I have seen the Bill.

530. Will you inform the Committee, confining yourself in the first instance merely to the last clause but one of the Bill, which allows locomotive engines to be run along tramways, whether you consider that it would be safe to pass that clause?—I do not think it would be safe.

531. Will you state your reasons for that opinion?—I think that there would be considerable risk to persons travelling on the road, as the beat of the engine advancing towards those persons will be very liable to frighten horses, especially young horses; in fact, going about the country as we do a good deal, we hear constant complaints of that kind.

532. Mr. *Corry.*] You mean in respect of railways running alongside roads?—Yes, or coming suddenly upon them; where a railway emerges out of a cutting, upon a piece of road, a young horse advancing towards the railway will very frequently whirl round immediately, and subject the persons in a carriage to risk. I have in my portfolio at the present time, applications for screens to avoid that kind of danger, for at least 10 places in one single town, the town of Cardiff; but the applications are not limited to towns.

533. Mr. *Monsell.*] Do you not consider the danger to be much greater of a railway coming suddenly upon a line of road than in the case of a railway that runs alongside a road?—Yes, I consider that the danger is much greater when a line emerges suddenly upon a turnpike road; where

where a horse, for instance, travelling along the road cannot see the line for any distance, I think the risk is very much greater than where the horse has an opportunity of looking at the train and advancing steadily towards it.

534. This Bill deals only with that class of danger which you consider to be the least of the two?—It does so.

535. Mr. *Corry.*] Has it come to your knowledge in any instance that an accident has resulted from the causes you refer to?—Yes, constantly; in most cases in which we inquire into the necessity for screens, we are told of certain accidents which have taken place, and which have induced the local authorities to ask for the erection of screens. I do not mean to say that those accidents are always fatal accidents.

536. Have there been any fatal accidents from that cause?—At the Board of Trade we know little as to the number of persons who are killed at level crossings: they are not all reported.

537. Although not reported have you reason to believe that there are many fatal accidents on level crossings?—I am sure there are many accidents at existing level crossings even protected as those level crossings are by the existing law on the subject; yet I am quite sure that there are a great number of people who are so killed every year.

538. Mr. *Monsell.*] You observe that this Bill limits the rate at which locomotives are to travel upon the tramways?—I do.

539. Does that make any difference in your opinion as to the danger?—I do not think that it makes any very material difference.

540. Will you state why?—Because in the case of a train travelling very rapidly, if a horse can be induced to face it for an instant the train has passed and the danger is gone.

541. But I am applying my question rather to the state of things which had been suggested to you by the Right Honourable Member who had just asked you the question, namely, with regard to level crossings; in that case surely the speed would make a considerable difference?—Yes; the risk would be less.

542. Would the risk at level crossings be very great if the limitation of speed proposed by the Bill were enacted?—I do not quite understand whether the level crossings referred to are to be protected level crossings or whether they are not; I do not know whether the general law which is in operation at the present time would enforce the attendance of a person to look after the proposed level crossings of public roads.

543. I think you will find by the Bill that that precaution would be dispensed with?—Then I think undoubtedly there would be risk.

544. Mr. *Corry.*] It frequently happens that railways cross on level crossings near the termini or stations; for instance, at Southampton; and when a train is going there at a comparatively slow pace, have you ever had an accident under those circumstances?—I am aware that within the last 12 or 18 months two persons have been killed at a level crossing, not a great distance from the terminus at Southampton.

545. Was the train going at a slow pace?—I think it was approaching the station. No report was ever made to the Board of Trade upon the subject of those persons having been killed.

546. Sir *Colman O'Loghlen.*] Have you ever seen the Kingstown Railway in Ireland?—Yes.

547. Are you aware that there are half-a-dozen level crossings upon it?—I do not know that there have been any accidents on it.

548. There are trains every quarter of an hour, and gates at each side?—Yes, but there are proper persons to look after the gates, I believe.

549. Mr. *Sherriff.*] Do not the inspectors of the Board of Trade view with very great jealousy and dislike a number of level crossings on any projected railway, and is not the desire, generally speaking, of railway engineers, to avoid level crossings wherever it is practicable?—I think, if I may be allowed to answer the last part of your question first, that engineers, generally speaking, do do so, in accordance with the public law, and I think they take the true view of the interests of the company which they serve in so doing. They are free of risk altogether; they know what the actual cost of avoiding a level crossing is by the construction of a bridge over or under, and the matter is done with, but in the other case they never know where it ends.

550. Application, in truth, could be made to the Board of Trade, which would necessitate the making of a bridge under or over, even if the Act of Parliament had authorised the level crossing?—Yes, in all recently constructed railways such a power exists; and level crossings are made subject to the action of that proviso.

551. Mr. *Clive.*] Could you sufficiently distinguish between the danger of a crossing and the danger of frightening a horse?—I am speaking now of the danger of a crossing.

552. When you speak of accidents, you mix up the two?—I mean to say that both kinds of accidents take place.

553. What was the case of the Southampton accident?—It was a case of running over a road vehicle by a railway train.

554. It had nothing to do with the frightening of a horse?—No; I believe it was a donkey that was killed on that occasion.

555. Are you acquainted with the level crossing which runs alongside the Brighton line?—I know the Brighton line generally, but not the particular level crossing referred to.

556. Just at Croydon it runs for about a mile close to the turnpike-road; are you aware of that case?—As far as I know, no application has been made to the Board of Trade with reference to the erection of a screen.

557. Your attention has not been called to it?—Certainly not; it frequently happens, I may state, that in a large number of cases where screens are applied for by the local authorities, in consequence of the railway being close to the road, I, as one of the inspecting officers, am frequently obliged to say that I do not think that the necessities of the case call for the erection of such screens.

558. General *Dunne.*] You used the word "close;" what would you call the distance?—It may be within five yards or 10 yards; but if it amounts to 40 or 50 yards then they are at a distance where the risk is not so great.

559. But if the line of railway ran alongside a road which is used for ordinary traffic, the railroad would be close, and there a screen would be necessary?—By the plan proposed by the Bill it would be very close, and I should be obliged to say that those railways ought to be screened.

560. Mr. *Leader.*] The fence proposed by Mr. Barton is only a wire fence; do you think that that would be sufficient?—I think it would prevent

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vent cattle from getting on the line except in such places as cross roads; and I do not see how those are to be provided for unless you have people to attend to the gates at such places.

561. Are you aware that upon several railways in England the directors would be very glad if they could possibly erect bridges over the level crossings instead of having level crossings? —I think that what takes place in Parliament every year shows distinctly that they are exceedingly sensible of the evils attendant on level crossings. Some railway companies which I could mention are engaged every year in getting rid of level crossings which were sanctioned in the first instance, and they are getting rid of them at enormous cost in some cases.

562. *Chairman.* Those are upon lines, I apprehend, which have a very large amount of traffic? —It is so, generally.

563. But upon lines where the most traffic that could be anticipated would be one or two, or perhaps three trains in the day, the necessity would be of a totally different character, would it not? —Yes, it certainly would.

564. As regards those level crossings, if it was provided that there should be certain people to attend to the level crossings, or that these little trains should stop at the level crossings, and the guard get down and open the gate, and so on, which might be very often done at the cross roads where the train would ordinarily stop; do not you think that in those cases the objections to the level crossings would not be greater than on an ordinary line?—I think they would be very much greater. In the first place I do not think that the guards would attend to that and do their duty properly.

565. But supposing that the non-performance of that duty were attended with very heavy penalties, which, by the 8th clause, might easily be imposed by the executive government; do not you think that that would be sufficient to make the guards do their duty?—I doubt very much whether it would be so.

566. Are railway guards generally, as a body, found unwilling to perform their duty, or to obey the orders that are imposed upon them by their employers?—I do not say that at all. I think that their duties, generally speaking, are very well done.

567. If the duty imposed upon a railway guard was the opening, and if necessary the actual locking of a gate, do you think that there is any probability that he would disobey those orders? —I am quite satisfied that they would frequently be left unlocked; that class of thing takes place at the present time, where the safety of the public is very much more endangered by the fact of men being directed to lock the points. Every now and then there is some unfortunate mishap, costing the company thousands of pounds by the mere act of the person whose principal duty it is to keep those points locked.

568. Are you aware of the number of points that the Irish mail runs over every night between London and Holyhead?—I do not know; I have no doubt that there are a great number, but as regards the Irish mail, I believe that a great portion of those points are at the present time secured and made safe by recent improvements which have been effected.

569. Still the negligence of any one servant might endanger the safety of the mail?—Not so. Upon the recently constructed lines it would only lead to a delay on the part of the train itself; the train would be stopped if the points were not set right for it to travel over them.

570. Mr. *Sherriff.*] The facing points and the signals act together, do they not?—Yes; if the signal be lowered for a train to proceed, of necessity the points must be set properly for the train to travel over it.

571. It is something like, is it not, what is now in full operation upon the metropolitan systems?—Yes; it is exactly the same kind of thing.

572. *Chairman.*] That of course obviates danger to a great extent?—It does entirely.

573. Still, notwithstanding those very great precautions, the negligence of a servant might endanger the safety of the train at any moment? —No; it can only lead to delay according to the present system; it can do nothing more than that.

574. Is that system in operation on every line in the kingdom?—On all new lines it is insisted upon. On many of the older lines it is not yet adopted, but it is on the principal lines; and on the one which was mentioned just now, with reference to the Irish mail, they are introducing them whenever they make any change, and the Great Western Company are doing the same thing.

575. Mr. *Sherriff.*] The Board of Trade inspectors insist upon it in all cases of new lines, do they not?—We do; and what is more noticeable, although the Board of Trade have no power whatever to order such improvements, the directors of the companies themselves are so sensible of the advantages which are insured by their adoption, that they are carrying them out of their own accord.

576. *Chairman.*] Do you wish the Committee to understand that if a line were so constructed that it would be necessary for a guard to get down two or three times during the passage of a train over a space of 12 or 14 miles to open the gates, it would be so insecure that Parliament would not be justified in recommending a system of that kind?—I think that it will undoubtedly lead to accidents if it is done.

577. How are the ordinary gates upon railways generally looked after?—The Act of Parliament says that they shall be looked after by a proper person, and whenever the traffic is very large, generally speaking there are men kept on night and day; but in outlying districts, where the traffic is not so great, and where there are not the same number of trains, and where the roads are not so important, that is not so constantly done.

578. I am alluding to ordinary field gates, not to crossings?—I understood the question to refer to public crossings; the ordinary field gate crossings are entirely in the hands of the occupiers, who are furnished with locks to the gates, so that the gates may be kept locked.

579. Is it an uncommon circumstance that those gates are left open?—It is not uncommon, and accidents sometimes occur from that cause.

580. Will you state to the Committee the number of accidents that have occurred from leaving field gates open during the last year?— Perhaps I have not made myself understood in saying that these accidents are not reported at all to the Board of Trade. A large number of

of accidents actually occur at the crossings on public or turnpike roads; even those are not all reported.

581. If a cow were to stray upon a line, and a train were to be upset and several people killed, do you mean that that accident would not be reported to the Board of Trade?—In the event of a serious accident occurring to a train, there is no doubt whatever that the accident would be reported; such as the Nuneaton case many years ago, which was an accident caused by a cow straying on the line.

582. How is it possible if those accidents might occur in this way, that they could be concealed from the Board of Trade?—They are not all reported to the Board of Trade; it is held that the clause in the Act of Parliament upon the subject does not oblige the railway company to report the killing of an individual in crossing the road, unless that person was in the train.

583. Would it necessitate the reporting by the railway company of an accident caused by a cow which had strayed upon the line, and by which persons were injured, though not even killed?—If it were a serious accident, if anything serious occurred to the train, the company is held liable to report it to the Board of Trade; if, on the contrary, an individual were run over on the road itself, it is quite possible that the accident might never be known except by the coroner's inquest.

584. Mr. *Corry.*] Some difficulties have been suggested in relation to houses built close to the road side; do you think that that would be a strong objection?—There are many railways at the present time, the rails of which are run quite close to the road, and where we are obliged to ask for fencing (that is all we have to say to it), to keep children from the line.

585. I am referring to those tramways passing almost in contact with the houses built close to the road side?—Yes, I am also alluding to that circumstance; I know cases in South Yorkshire, where the south Yorkshire lines run close alongside houses, and these must be fenced; that is all that is necessary.

586. In that case, I presume it would only be the single traffic of the railway?—Yes, and the fence would be constructed to prevent children and persons running on to the railway.

587. In this case it would be a double traffic, the traffic of the tramway and the traffic of the high road for all purposes of the house?—Yes, there would be both.

588. Do you see any difficulty in that respect?—I do not see that that would materially alter the question at all.

589. But would it be requisite to have a fence put up?—Yes; I should say that the railway should be fenced on both sides.

590. Mr. *Sherriff.*] We are now speaking of a tramway being laid down on a public road itself; therefore, if the tramway was laid on one side of the road, it would, of course, cut off the frontage of all houses built on that side of the road from the high-road?—Yes.

591. Is that exactly parallel to the case which you have named?—It is very nearly parallel; they must go past their own houses until they get to a public crossing that will take them across the line; it would not do to allow them to cross opposite every house.

592. Your idea is that they would have some sort of road constructed down to the next crossing?—Yes, or a footway, and not to be allowed to cross the railway wherever they thought proper.

593. Captain *Jervis.*] Are not the field gates in England chiefly in cases of severance, so that people may get from field to field?—Yes.

594. Even then, railway companies are not very fond of hanging those gates if they can possibly avoid them?—Precisely so; and some lines have been laid down so as to avoid anything like a crossing on the level, even an occupation crossing.

595. Are you aware that one of the points which the servants of a railway company have to look after more than anything else, is to see that those gates are kept properly shut?—Yes; the platelayers have to look after them as they go along.

596. Will you look at the plan before you, and just fancy a railway going along 12 miles of high road instead of going across country, with a number of houses along that road; how are the occupiers even to get on to the road except by having a gate for each house?—By a footway, or a crossing might be made at certain intervals.

597. Take a country road. A man would not very much like to travel half-a-mile out of his way to get on to the high road?—I have not any doubt whatever that this plan would lead to accidents.

598. Having a gate as it were at every house, would require, would it not, a very large and expensive staff to be constantly looking after those gates?—Of course it would, if the railway company are to do it.

599. If the railway company are not to do it, it is very difficult in England to see that the occupiers of land keep their gates shut, and I think that in Ireland you would find a great many gates opened across the road?—Possibly that would be so.

600. *Chairman.*] Would more danger arise from such gates leading up to a house than from ordinary field gates?—In all probability there would be more traffic in the one case than in the other. Of course, wherever there is traffic you must have increased risk in each case. It is merely the moving of the gate across the line.

601. Captain *Jervis.*] In many cases field gates are seldom used more than once or twice a year?—Possibly so.

602. Mr. *Monsell.*] Do you think it would be possible, or practicable, to limit the speed at which the locomotives were to travel?—There are Acts of Parliament at the present time which prescribe the speed which shall be followed at certain places, but I believe that those might just as well never have been enacted.

603. Mr. *Sherriff.*] Such acts are in truth a dead letter?—I believe so; for instance, in crossing turnpike roads adjacent to stations, the general law enacts that a train shall not pass them at a speed exceeding four miles an hour, whereas I believe they pass them frequently at from 40 to 60 miles an hour.

604. Mr. *Monsell.*] You think that it would be impossible to enforce any such limitation; is that the result of your experience?—I do not think, as a rule, that engine-drivers know the speed at which they are actually running, and they are not given any means of ascertaining it. No matter scarcely what accident occurs, you scarcely ever find an engine-driver allowing that

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he is travelling at a greater speed than 30 miles an hour; although to keep time he very possibly must travel at 45 miles an hour.

605. *Chairman.*] You say that you think that horses are more likely to be frightened by a railway train passing suddenly at a level crossing or over a bridge than they would be if a railway train came up meeting them?—Yes, where the road comes suddenly out upon the line.

606. Then, in fact, a greater danger than you anticipate from this system occurs at every railway bridge in England?—No; because at every railway bridge in England the local authorities have the power of appealing to the Board of Trade to order a screen to be erected so as to shut out the view.

607. How many railway bridges are there in England?—I do not know.

608. What proportion of them are screened?—Comparatively few.

609. Do you think that 1 in 5,000 of them is screened?—No, possibly not; but I do not think that danger arises at every railway bridge.

610. But taking the average of the traffic upon the London and North-Western Railway crossing a bridge near a populous town, do you not think that the risk in that case would be far greater than in the case of a railway travelling alongside a very unfrequented road in a distant part of Ireland?—No, certainly not; in the first place the level crossings are protected.

611. I am talking of the ordinary railway overbridges?—I do not think that many accidents arise in that way; I mean not through overbridges.

612. Are not horses constantly frightened?—I hear of their being frightened, and I know that application is frequently made to the Board of Trade to have them screened.

613. With regard to level crossings, is it not a very common thing in the neighbourhood of large towns, to see a number of carriages and carts standing at a level crossing waiting for a train to go over?—Yes, it is common; they have to wait 20 minutes sometimes.

614. Is it a common thing that accidents occur from that cause, although the horse's head may be within five yards of a train going at the rate of 60 miles an hour?—No, not in that way; accidents are uncommon under those circumstances.

615. Notwithstanding that you see constantly in the neighbourhood of a populous town as many as six or seven carts and carriages waiting for the passing of a train?—Quite so.

616. Do not you think that horses soon get used to the passing of trains?—Yes.

617. Do not cattle in the fields get used to it in a few days?—They get used to it in a short time.

618. You observe that, by the end of the 8th clause, power is given to the Executive Government to make rules which are to be observed by the parties making any tramway; do you not think it would be possible for the Executive Government to make rules which would to a certain extent lessen the danger which you anticipate would arise?—I do not quite understand whether those rules would allow the Lord Lieutenant to order a person to attend and look after the gates.

619. I presume that it gives him absolute power to make any rules to be observed by the party making the tramway?—There would be certain works in addition which would have to be put up.

620. For instance, there is one rule which might be made in certain cases, that the drivers of those engines should be obliged to shut off their steam at certain places?—Yes; boards are put up occasionally now by the railway officials, directing their men to shut off steam at certain points, but I do not think it is always observed.

621. Is that the fault of the rule, or is it the fault of the persons who work the rule?—I think it is inseparable from the system, that when men find that they pass safely day by day, and several times in the course of a day, and do not find any necessity for shutting off the steam, they gradually get into a careless habit of working.

622. Do railway servants generally neglect the signals?—Yes they do; the largest railway companies in the kingdom, at the present time, have rules which are totally disobeyed, and which are known to be totally disobeyed; that is in the case between London and Rugby, which is worked on what is called the partial telegraph system, which requires, that when the space between one signal station and the next, is not clear of the preceding train, the advancing one shall pull up, and be told there is a train a-head, but they pass the signal station at from 30 to 35 miles an hour, and disregard the rule entirely, and it is perfectly well known that such a state of things does exist.

623. But would you not recommend that some legislative interference should take place to prevent such a dangerous system being carried on?—I am afraid that it would be of no use; like the case of the four miles an hour, it would not be observed.

624. Captain *Jervis.*] They sometimes have to make up for lost time, have they not?—They generally try to do so.

625. Mr. *Corry.*] Various circumstances have been mentioned in relation to those tramways, which might diminish the risk of accident in comparison with railway traffic, such as the paucity of the number of trains, and the greater slowness of speed; but do not you think that, notwithstanding all those circumstances which have been drawn to your attention, there would still be a risk to the general traffic arising from the construction of those tramways?—I think that is so; as a general rule, where there is most danger, I should say the greater are the precautions that are taken to avoid accident at those places; and it will be found that even in some of the worst stations that we have at the present time, there are scarcely any accidents, which is due to the excessive precautions that are taken.

626. Mr. *Sherriff.*] Would not the greatest danger, in the case in question, arise on roads where the traffic is greatest?—That entirely depends on the rules which are ordered to be adopted.

627. This Bill is for the purpose of laying down tramways on common roads; would not the projectors of tramways be most likely to take the roads where the greatest traffic existed?—They would be sure to do so, for the purpose of putting stations adjacent to them.

628. And if there be a good road traffic, the number of crossings, and all the rest of it, would be in proportion, would it not?—It would.

629. Therefore, unless special arrangements were

were made for the public traffic, the better the tramway in this instance the greater the danger? —Yes, that would be so.

630. If some means could be devised for cheapening the cost of the construction of branch railways, so that the expense of them, on the average, including locomotives and other rolling stock, should not come to be more than about 6,000 *l.* per mile, and if it is granted that tramways on common roads would cost at least 3,000 *l.* per mile, with bad gradients and sharp curves, and locomotive engines, which would require, in many cases, to be constructed on Fell's system, adapting itself to a third rail, which of the two kinds of road would you prefer?—I scarcely think that there can be a doubt upon the subject that the railway should be preferred; and what is more, it should be upon the same gauge, if possible, as the gauge which exists in the district. At the same time, I think it highly desirable that means should be provided for having cheap railways, what might be called a second class style of railway, which should be made for an entirely different weight of engine, and an entirely different strength of permanent way, which would materially diminish the cost of the line.

631. That is what I meant, that a line of railway be made with a lighter description of rail, and, therefore, involving a lighter description of engine and carriage. If such a line could be laid down for 6,000 *l.* a mile, do you think that it would, to a very great extent, render unnecessary an Act for laying down tramways on common roads?—I think it would.

632. *Chairman.*] Supposing you could not get the 6,000 *l.* and you could get the 3,000 *l.*, what should you do then?—I should be inclined, then, to stand out for a railway on the same gauge, made as light as you please, with engines of 10 tons, or 12 tons, or 14 tons, and introducing steep inclines and sharp curves on that railway, because I am quite satisfied that you may work railways with very sharp curves and on steep inclines; and what you will have to do in such a case will be merely to limit the load.

633. Captain *Jervis.*] Are you acquainted with the lines in East Anglia up towards Lynn? —Yes, I know some of them.

634. Are you aware that they only cost about 6,000 *l.* a mile, or rather under?—Some of the recent ones may have done so; but I believe that depends very materially upon the way which the money is raised.

635. Still you are aware that even those lines carry the heavy carriages and the heavy waggons that are used upon the other lines?—Yes, but that can only be the case in a country which is perfectly level.

636. But for the kind of engine and waggon that you refer to lines might be made at between 3,000 *l.* and 4,000 *l.* a mile?—Yes, I think there are enormous districts at the present time which would be benefited by making such cheap lines.

637. Even where the land is worth about 200 *l.* an acre?—I was not aware of that.

638. Are you aware of the average cost of the tramroads which have been constructed already? —I do not know.

639. Mr. *Leader.*] Are you aware of the present financial state of the Irish railways?—I believe it is not very flourishing.

640. Supposing that new companies were invested with power to construct tramways according as is proposed by this Bill do you think that that would be injurious to the existing railway companies?—I am quite satisfied of one thing, that it will be for the benefit of the country, no matter wherever you make a railway or a tramway you will benefit the country; I do not think there is a question of that; but I think it is a very grave question whether you should sanction the introduction of half a dozen different gauges, dependent entirely upon the particular views which may be entertained by the grand juries of adjacent counties, because after a time those railways may require to be more intimately connected than when they were first laid out, and then there would be the inconvenience of a break of gauge.

641. But the question which I put is this: considering the present financial state of the railways in Ireland whether, if this Bill be passed and facilities given for running cheap lines over land which costs nothing, you think that would be just to the railways which are at present constructed in Ireland?—I do not know that I have looked at it in that particular point of view.

642. Mr. *Clive.*] Would you not rather say that the increased traffic generally would be an advantage?—I do not think that would suffice.

643. General *Dunne.*] Would it not be easy to put in a clause to prevent competition with other railways; there is enough in the law already for that purpose, is there not?—I am a bad person to give an opinion upon that subject, but I am afraid that there is an easy means of avoiding it.

644. Do not you think that these feeders made at a cheap rate would be a great benefit to the existing railways?—Yes, I think so; I think they are required; but I should prefer to see them made railways rather than tramways.

645. Would you give the grand jury the power to make certain small railroads within their own district without coming to Parliament?—They do not want Parliamentary power for that purpose at the present time; railways or tramways can be made at the present time; I have inspected many lines of railways which have not been made under any Act of Parliament.

646. Cannot the grand jury take land now as it does for a common road, and appropriate it for a tramway?—No, only with the consent of the landowner.

647. Where there are several proprietors, you cannot always get unanimous consent, can you? —There is a difficulty in getting that consent, no doubt.

648. Mr. *George.*] Do not you think that the interests of railways could be sufficiently guarded by an express proviso, that those tramways should not be made between places where statutory power for making a railway or railways for directly connecting the same exist, and are still in force; if the tramways to be allowed under the Act were all lateral, not allowed to be parallel with existing railways, would they not promote the traffic generally of railways instead of interfering with it?—In some cases it might be so, but in others they might abstract traffic; a tramway might be made along a third side of a triangle, whilst the existing lines of railway will carry the traffic over the two other sides of the triangle. So that in that way the construction of such lines might be prejudicial to existing railway interests.

649. Might not a discretionary power be left to whatever the authority was, who were to grant

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grant power to make a tramway to decide that point, whether the tramway sought to be made, would, in reality, be injurious to any existing line of railway?—Yes; if you gave the railway company or the proprietors the right of appearing before that authority and stating their case.

650. You are aware that in the original Tramway Act, there is an express proviso that it shall not be competent to make application for a tramway under the provision of the Tramways Act, to unite places between which statutory powers for making a railway or railways for directly connecting the same, shall have been granted and be in force; do not you think that, under that proviso, whatever body it was that was to grant the power to make the tramway would be compelled by statute not to give that power under that proviso, and that thereby the railway interest would be sufficiently protected?—A properly constituted body might do so, but perhaps it is rather difficult to say how such a body should be constituted.

651. However, if there was a proper body to decide that question, and this proviso were left in the Tramway Act, that would be a sufficient protection for the railways, from point to point, that no direct tramway should be made between those points?—Just so.

652. Mr. *Sherriff.*] Might not the word "direct" be an exceedingly flexible one, or supposing there were a communication between two towns, but that it took the form of a triangular communication; and supposing a tramway were laid out to go straight between the two points, would not that be a direct competition with the existing line of railway?—That is the case that I referred to.

653. *Chairman.*] Do you think that it would be fair that the public should be sent round, perhaps 40 or 50 miles, when they could make that distance 10 miles, in order to convenience and benefit railway shareholders?—I think that the interests of the particular locality through which the tramway passes ought to be studied as well.

654. Mr. *Monsell.*] Do not you consider that the interests of the public ought to be paramount in all these matters?—That would be a portion of the public.

655. Mr. *Sherriff.*] Supposing it is said that the Irish railways at the present moment are very poor in consequence of the traffic being scanty, and supposing that the public interest is identified with the Irish railway companies working their lines well, I presume you do not agree that a poor company can ever give the same advantages to the public as a good dividend paying company?—Not generally.

656. Are they likely to be enriched by any Act of Parliament which shall allow the construction of tramways which shall have the effect of taking away part of that traffic which they now possess?—I do not think they are.

Captain Frederick Henry Rich, called in; and Examined.

Captain *F. H. Rich.*

657. Mr. *Monsell.*] What is your profession?—I am one of the railway inspectors of the Board of Trade.

658. You are an officer of the Royal Engineers?—Yes.

659. How long have you been a railway inspector of the Board of Trade?—Over six years now.

660. It so happens that you have had a great deal of Irish business to do, I believe?—A great deal; since I have been at the Board of Trade I have done most of it.

661. Have you considered this Bill?—I never saw it till this morning; I have read it so that I can give the Committee answers to any questions they may wish to put to me.

662. Will you favour the Committee with your opinion upon the provision of the 8th Section with regard to running locomotives on tramways?—I think with regard to running locomotives on the road, that the inconvenience, annoyance, and danger to all people using that road would be excessive. If you inclose the tramways every one travelling on the road must be stopped at the level crossings. I think that you might do away with the difficulty and make them safe by gates something like you have on the field roads in Northamptonshire. I think that the danger could be overcome, but I do not think you could ever overcome the very great annoyance, delay, and inconvenience, which the railway if it was used in moderation would be to everyone living on the side on which it ran by cutting them off from the road. I think that the danger to everyone enjoying the road in the way of riding or travelling, would be very great indeed, and more especially in the cases of some of the roads in Ireland which are very frequently totally unfenced; and you may drop 15 or 16 feet into a bog by a horse shying very slightly. I think, moreover, that as regards the thing generally the expense of acquiring land for a proper railway, for light locomotives, on the light principle, would be less if you come to consider the whole of the disadvantages, and the charges which you put on everyone residing on that road by depriving those persons of the use of the public road which they have had, and upon which the reason being good or otherwise, they have purchased their property and they have made their property valuable. Again, you must recollect that in Ireland, the state of every field along the road with regard to gates is worse than it is in England, because in England a man has one entry perhaps to his ground, but in Ireland in the case of every field along the road the only way that he has to go into that field is through a gap that leads into it from the road, and a tramway would shut off all those people from that facility.

663. *Chairman.*] You might make him a good fence?—Then you would require to provide two fences, one at the opposite side to where the railway is, as well as a fence on the other side.

664. Do not you think that all those objections might be safely left to be dealt with by the local authorities, who are the parties most interested in the convenience of the public in the neighbourhood, and also to whom all persons affected would have a convenient mode of application for the purpose of stating their grievance?—Hardly, I think; I think it is giving them a vast power. Now you can make a railway very cheaply wherever the landowners wish for it; that is to say, if they will consent to it. If they will not consent to it it seems very natural that you should not have the railway, or that it should require

require an Act of Parliament, and that they should have some tolerable protection from being invaded more reliable than the verdict of the grand jury, who although a very proper tribunal, still take a very short time to consider those matters.

665. Are you aware that they may take three months under this Bill to consider it, because it is proposed to appoint a committee of the grand jury, which may sit for any time that is necessary?—Yes.

666. So that that inconvenience would not be felt; and then there is the preliminary inquiry before a number of independent and impartial persons, who would say at once whether the public inconvenience would be as great as you describe?—And there is 100 *l.* provided to cover the expense; it would not do anything of the kind.

667. Mr. *Sherriff.*] In laying out a public railway, I take it that the object of an engineer is to avoid opposition by laying out his line in a way which shall interfere least with convenience of the occupant and of landowners?—It is so generally.

668. Would not the very revese circumstances attend the laying down of a tramway or railway upon a public road?—I do not quite understand what you mean by "the very reverse."

669. The road being laid out and adapted for its own traffic, and the houses and buildings along that road being also laid out for that public road, would not a tramway or a railway, which would interfere with the arrangements between the two, be in truth, the maximum of public disadvantage?—I think it would; I think that if this were fairly dealt with the claims of those people for injury would be far greater than the cost of taking it through ordinary land, if they were fairly compensated. I will not say compensated upon the present system of railway compensation; because people generally get far more than their land is worth, apparently; but if it was even on fair compensation I believe that the cost would be infinitely greater; that is to say, if you do compensate them for it. If you take it for nothing, of course it is different, for then you injure their property to that extent.

670. *Chairman.*] But that would, I apprehend, correct itself. If the promoters found they would be able to show Parliament that they could make a railway in the ordinary way, they would not think of making a road railway?—The alternative would hardly be before them. Another thing is, that it would be natural for all their energies to be directed to make those tramways in competition with the lines of the present railways, because, as a usual thing, the good roads and fine roads, where there would be traffic, generally run in the same directions as the main arteries of the railways; and therefore the natural attempt would always be to get the tramways in the same direction, rather than in a lateral direction.

671. Mr. *Sherriff.*] They would endeavour to get tramways, in fact, into districts which would pay for their construction?—Yes, into districts which would pay for their construction.

672. *Chairman.*] In case the grand jury should consider that a road which is very little frequented, and in which there are few habitations, would be more useful to the public as a tramway than as a high road, could there possibly be any objection in principle to the grand jury, representing the ratepayers, appropriating a portion of that road to a tramway?—On a road of that description they would never attempt to put a tramway; there would be no traffic. If the road is not used at all for traffic, what is to furnish the new traffic to the tram road?

673. But the proportion of traffic may be very considerable between two towns. You may say by the road, over which the grand jury might think it necessary or advisable to run the tramway, might not be altogether a direct road, and so it might be possible for the grand jury to avail themselves of it by going a very little out of the way of roads that are very little used, and so afford the public a very great advantage?—That is a case which would hardly happen, because the road that would be used is the best road between those two towns, and any other hilly mountain road which is not used is totally unfit for a tramway.

674. That would not always be the case, would it?—Generally, I think.

675. Have you ever heard of two roads between two points which are very little different in distance; for instance, I may mention the case of two roads, one on each side of a river which lead to the same place, between Bandon and Innishannon?—Where this is the case the fence between it and the road, and its being so close to the high road, it is so, but not so close as a tramway on the road would be. There is only a bank dividing the railway from the road for about, I should think, three-fourths of a mile. Where it comes out of the town of Dimmanway. it is more distant, say from 30 to 40 yards, as a general rule, but where it runs close to the road, the fence between the road and the railway is a bank a good deal higher than my head, and I certainly should think six or eight feet broad at the top.

676. Mr. *Monsell.*] Take the line between Patrick's Well and Charleville, which runs along the high road for a long time, there is not such a very high fence there?—It does not run close to it; it is about 35 yards. I do not recollect any place closer than that; it runs close along by the side of Sir David Roche's wall; but it is 50 or 60 yards there at the least. I have only just returned from inquiring into a case of screens where the railway is 25 yards from the road. A horse got frightened there the other day, and we had an application upon the subject. The Act of Parliament seems to contemplate that necessity by providing for it.

677. *Chairman.*] Take the case of the road which you know very well, from Dublin to Baltinglass, which is a broad road, and very little frequented, going through a country not very thickly inhabited, with few houses on each side of the road, but with a sufficient amount of traffic between the two points to justify Parliament in giving statutory powers for making a railway; do you not think that, without any danger or inconvenience to the public, a portion of that road could be utilised for the purpose of making a single line of rails with very great advantage to the public; and, if that was done so, Dublin would probably be connected directly with Baltinglass, which there is no hope whatever of accomplishing under the present state of things?—I know the road near Baltinglass, which runs through Blessington; that road would be totally unfit for a tramway for engines to work on, on account of its hilly nature, you would have to avoid the hill.

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678. It is proposed to make use of Fell's patent?—I have never travelled the road from Blessington to Dublin, except once, and it struck me then as very hilly indeed. From Blessington on to Baltinglass I do not think it is so much so.

679. Take the portion of the road that you know?—That is a district as to which I doubt its furnishing very much traffic; that is a road which perhaps is most suitable in the parts that I know, because it is excessively broad, and, in some parts, very level.

680. Do not you think that it would be a great advantage to persons residing in the neighbourhood of Dunlavin and Blessington to get a direct communication with Dublin in that way?—If I resided there I should prefer the disadvantage of not having it. In my own case, as driving and using the roads very much, I think one is much more likely to meet with danger where the traffic is small than where it is very great. In the first place, the horses hereabouts would care nothing about the railway; but, if you take cases in one of those districts where they only see the railway occasionally, they get very much frightened by it.

681. Do not you think that horses very soon get used to it?—I do not think that they do when they only see it but seldom; I think they do here about London, where they are continually seeing it; but the Baltinglass-road is excessively unprotected as regards fencing in some places; and if a horse shies, there is nothing to keep you on the road.

682. There is nothing to prevent the grand jury insisting upon fences being made even to the amount of three fences if they think it necessary for the public safety?—No.

683. Mr. *Monsell.*] That would, of course, increase very much the cost of the railway?—Yes; I think that if you obliged the promoters to do all that was necessary they would not make the tramway. It will cost quite as much as railways can be made for, and they have been made for 5,000*l.* a mile.

684. What do you think the cheapest railway could be made for?—It could be made for 5,000*l.* or 6,000*l.* a mile, much heavier than would be necessary, and much heavier than you would probably propose to lay down for these tramways, 60 lbs. and 65 lbs. rails.

685. Mr. *Sherriff.*] You can lay down, can you not, a railway with rails at about 40 lbs. a yard for about 1,500*l.* a mile, speaking independently of the formation?—Yes.

686. I mean independently of the formation, as it is called, in adapting the country for laying it down?—Yes.

687. Mr. *Monsell.*] When you state that the objects proposed by this Bill might be accomplished under the existing law, you refer to the Railways Construction Facilities Act, do you not?—Yes.

688. In that Act, as you are aware, all the landowners and other persons beneficially interested must be consenting parties?—Yes.

689. Then, in order to accomplish the object which we have in view, it would be necessary, in the first instance, to repeal that clause; and I suppose also that clause being repealed, it would be necessary to give compulsory powers for taking lands, to some local bodies such as grand juries?—Yes.

690. Would you see any objection to a Bill of that sort, not for the purpose of making tramways, or accommodating tramways to locomotives, but for the purpose of giving a cheaper mode of making railways where the power was given to the local authorities to decide upon the fitness of the work being done, and then that the provisions of the Railways Construction Facilities Act should be put in force?—No, I think there might be a better power than a local power.

691. I do not mean the local power in any way to dispense with the Board of Trade or the Board of Works, whichever you choose to have; I mean to substitute the approval of the local authority for the consent of the proprietors?—If something could be introduced similar to the power of the grand jury as regards common roads in regard to railways, by which they could take land from persons who refused their consent without any proper plea if those parties could be compelled by two public boards, such as the Board of Works and the grand jury, I think that would be a great advantage in the construction of railways.

692. And in such a case as that which the noble Chairman has referred to, as having been mentioned by Lord Bandon, where there did happen to be two lines of road with the same termini, and that one might be appropriated for the purpose of a railway, of course, the plan that you now propose, would apply to that perfectly, and would enable that line of road to be converted from the purposes of a road into the purposes of a railway?—The Act might provide for that amply, because we have cases continually of roads which become obsolete, and no longer public roads at all; the Act would amply provide for being able to take such roads for railway purposes. I do not see how they could be prevented from doing it where the roads have become obsolete; and we have many such cases where the roads have become obsolete.

693. The grand jury have already the power, have they not, of presenting a road, and stopping it when it becomes useless?—Yes, I believe so; and therefore it does not require further repair.

694. The only alterations that you would consider necessary to be made in the Railways Construction Facilities Act would be the repeal of that proviso, that the landowners and other persons beneficially interested, must be consenting parties, and substituting for that the decision of a local board, such as the grand jury?—Yes; it then becomes a political question as to whether Parliament should be the proper person to deprive that man of his property, or whether you would entrust it to a local board; my own impression would be, that a man is entitled to the protection and consideration of Parliament under such circumstances.

695. General *Dunne.*] Have not the grand juries at this moment the power of taking land for the ordinary roads of the country?—Yes, they have, for the ordinary roads of the country.

696. Then, it is proposed by this Bill, not to give any more power than they have at present?—I hardly think that the grand juries would be the proper persons to deal with that question; I think they should have the power of doing it after it had been properly reported on by an independent board altogether, such as the Board of Works, or some other board which might be agreed upon.

697. That is already proposed by the Bill; you have been examined before Committees of the

the House of Commons, have you not?—No, I have not.

698. Are you aware of the form which is gone through on the passing of a Railway Act?—Yes.

699. Do you think that a Committee of the House of Commons pays half the attention to the rights of individuals in the country that grand juries do?—They have no local interests; grand juries have a good deal of local interest, and that makes a great difference; Parliament is, of course, very unprejudiced.

700. And you, therefore, think that the decision of Committees of the House of Commons are far inferior to those of grand juries?—I do not say that they are far better; but they decide upon the evidence produced, and they are perfectly competent to judge of that evidence.

701. Mr. *Sherriff.*] But are not the expenses which are incurred in Parliament destructive of any chance of cheap lines being made; take, for instance, a line in the south-west of Ireland; is not the expense of bringing up the necessary amount of evidence which will prove its necessity to a Committee of this House, in addition to the other expenses incidental to Parliament, so great as to prevent altogether such branches being made?—No doubt that is very often the case.

702. Would not a local authority, such as the grand jury, which must know more intimately than any other body the wants of the locality, be a safe tribunal to trust with the necessary works to accommodate the district?—I think that an independent board ought to be entrusted with the merits of the question as regards the necessity for the railway, and subsequently that the grand jury or such a board, having reported its necessity, would be a very proper body to come in and enforce the sale of the land.

703. The machinery of this Act provides that it shall be entrusted to the Board of Public Works, and that upon the Board of Works reporting in favour of it, it shall then be referred to the grand jury?—Yes, and I think that is very fair so long as the reference to the Board of Works or to some public board is compulsory in the first instance.

704. General *Dunne.*] Do you think that the Irish public are at all satisfied with the general decisions of the Board of Works?—I have heard a great many differences of opinion in that respect; some persons are there is no doubt.

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705. *Chairman.*] As a railway is only a public highway, do you think that in principle there is any objection to a grand jury providing public accommodation in the shape of a railway in pretty nearly the same manner as it does now in providing public accommodation in the shape of an ordinary road?—No, I do not, if the scheme is reported on by more experienced persons than themselves.

706. And you think that the necessity would then arise, from the peculiar nature of the locality, for some scientific and professional knowledge being placed at the disposal of the grand jury in order to inform them upon matters which they could not otherwise be cognizant of as regards railways?—I think so because a railway might be very desirable which could be made for 5,000 *l.* and not at all desirable if it would cost 10,000 *l.*

707. But the grand jury, being informed upon all those points, and having the best authority that can be got to advise them upon such powers, you think it might be safely entrusted to them?—I think so; I think they would be the proper parties to deal with it.

708. Mr. *Monsell.*] Which would you consider would be better; to have an inquiry by this competent and scientific tribunal, in the first instance before the proposition was entertained by the grand jury, or as it is in the Railways Construction Facilities Acts to have the decision of the public body after the application had been made to the grand jury; which would you consider best, not to allow the grand jury to consider the question at all till the report had been made by the Board of Trade or the Board of Works, or to let the Board of Trade or the Board of Works consider the proposition which had been submitted to them with the sanction of the grand jury?—I think that the Board of Works would be the proper persons in the first instance, because I look upon the grand jury as really the best board to deal with the question of local interests, but not the question of the advisability of the scheme.

Sir JOHN MACNEILL, called in; and Examined.

709. *Chairman.*] YOU are a Civil Engineer, are you not?—I am, and Fellow of the Royal Society.

Sir *J. Macneill.*

710. You have devoted a great portion of your life, I believe, to the consideration of railway matters, and to the construction of railways?—Yes, I have been very extensively employed upon them, and I have paid a great deal of attention to them. On my first commencement on the Holyhead road I was engaged for many years with Sir Henry Parnell in all those improvements; and I was under Mr. Telford, and, after his death, I was employed in his place by the Office of Woods and Forests for many years. During the time I was employed on the Holyhead-road, I made many experiments on the effect that could be produced by horses on turnpike roads, lands, and on tramways constructed of stone, of iron, and of wood; also on locomotive carriages employed on turnpike and country roads; one of these locomotives constructed at the expense of Mr. Telford, myself, and some other engineers, was run daily from London to Reading and back, for nearly six weeks, without any accident occurring; but great caution had to be used. After this experiment, I made places for fencing off a portion of the road from London to Birmingham, and notices were given in the papers that a Bill would be brought into Parliament to authorise the same; but the opposition of the persons residing along the road, and the road trustees, as well as the expense of fencing, and the claims for damages, were so considerable that the scheme was given up; some of the plans connected with the proposed work I have still in my possession; it was as far back as the year 1834 or 1835. Subsequently to that I had very considerable experience in making railways in Scotland on the four-foot gauge. Some of those railways were worked by horses and some tramways also. Tramways, I understand to be those lines worked by horses alone.

711. Will you state to the Committee the principal railway lines which have been constructed

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structed under your superintendence?—I constructed a portion of the Ballochney railway, in Scotland; the Monkland and Kirkintilloch line, the Wilsontown line, and part of the Wishaw and Coltness line, on which was a tunnel, and a long and high viaduct in Scotland; and, in Ireland, I was first employed by the Royal Commissioners to lay out all the railways which they proposed north of Dublin; subsequently I constructed the Dublin and Drogheda Railway, and the railway from Drogheda upwards to Portadown, near Belfast; the Dundalk and Enniskillen Railway, the Great Northern line, and the line from Dublin to Cork; the Great Southern and Western line, and many others in Ireland, and some in England.

712. You have been concerned in the construction of all the principal lines?—Yes, I have been so. I was engaged on the Midland Great Western line to Galway, but I did not make it, for the directors got into some disputes and differences of opinion with the directors of the Great Southern and Western Railway Company, of which I was also engineer, in consequence I resigned as engineer of the former, and remained with the Great Southern and Western Railway.

713. Are you acquainted generally with the position of railway enterprise in Ireland at this moment?—Yes, I am.

714. The principal arterial lines have been completed, have they not?—I should say that the principal ones have.

715. Have many of the lines, for which statutory powers have been granted by Parliament, been arrested in their progress, or even not been commenced, from the difficulty of obtaining funds?—A great many have.

716. Would you state to the Committee what those lines are?—Some of them I know very well; the extension of a line from Navan on to the north, and the Dublin and Meath Railway; there is the line from Wexford to Waterford; there is the line from Lisburn to Antrim, from Downpatrick to Newry, one near Dublin; and, in fact, there are very many. I do not know of my own knowledge more than those, but those I do know.

717. But beyond those for which statutory powers have been obtained, are there not many districts in Ireland which are still in want of railway communication, and to which railway communication, if made upon a cheap scale, would be probably very advantageous?—Very large districts indeed; and my idea would be that the new railways ought to be, as I should call them, secondary class railways, or second-class railways, as compared with those which have been already constructed upon the 5 feet 3 inch gauge. I am perfectly convinced, if a second-class description of railways were introduced into Ireland, which would not exceed from 3,000 *l.* to 4,000 *l.* per mile, which will be quite sufficient, and everything completed for that, say 4,000 *l.* in extreme cases, and 3,000 *l.* in ordinary cases, that it would be a most beneficial thing for Ireland at the present time, not only to the inhabitants, but the public generally, and to the railway companies, for I would consider that they should be made as feeders to the railways.

718. If those lines to which you allude generally were to be constructed upon the old scale of expense, what would they cost per mile?—They would cost from 7,000 *l.* to 9,000 *l.*, not including rolling stock.

719. Do you think it likely that a sum of that nature would be readily obtainable for such a purpose?—Certainly not. I do not believe that there would be 20 *l.* a mile got in Ireland at this moment to construct any one of those lines. I myself took 6,000 *l.* worth of original shares in the Dublin and Meath line which I spoke of, and I do not believe that at this moment I should get 6,000 shillings for them, but if this line were extended as a secondary line at 4,000 *l.* per mile, I believe my original shares would be soon worth their full value; and it would be, therefore, my interest to subscribe to a secondary line of extension.

720. Is the reason that it would be so difficult or impossible to obtain money for those concerns that the principal railways made at that expense would be not likely to pay?—No doubt that is the reason. If there was a railway made for 3,000 *l.* a mile, which would pay six or eight per cent., and if the people of Ireland saw that, I do believe that many districts, which now want railway accommodation, would be supplied.

721. The difficulty of obtaining money for an expensive class of railways does not depend, in your opinion, upon the present state of the money market, or any cause of that kind, but it arises from the impossibility of getting any sufficient return to justify the outlay?—Quite so; it has nothing whatever to do with the monetary crisis at present; it existed many months before.

722. And has existed for many years past?—Yes.

723. And is it likely to exist for many years to come?—Indeed it is; I should say that there is not one of those railways for which a good deal of money has been spent in getting Acts of Parliament, and which would be beneficial if made, but will certainly become a dead letter; the time will expire, and the railways will be lost, and the whole of the expenses which have been gone to will be lost also; whereas, if those railways were permitted by the Legislature to be constructed on a three feet or three feet six gauge, those districts might be accommodated, and the parties who have spent money in obtaining the Acts would be fully remunerated, and the public and the country immensely benefited. I should recommend three feet at first in all cases, because that will give all the accommodation that is required; and it could certainly be done with the necessary rolling stock, for 3,500 *l.* a mile upon the average. Some would perhaps cost 4,000 *l.* a mile, but that would be an extreme case.

724. Will you state to the Committee the items of the account by which you have arrived at the conclusion that those railways can be made at 3,500 *l.* a mile?—I have here drawings of every portion of the work required for a railway upon a 3 feet 6 gauge. The estimate of every portion of those works is written on the sides of each of those works, and the whole of every bridge and every culvert; and I can explain now one or two leading causes of the cheapness. The first great saving in expense would be in the land. The ordinary 5 feet 3 gauge railway requires from 10 to 11 acres a mile.

725. Mr. *Sherriff.*] You mean for a single line?—The land is generally taken for a double line.

726. That depends a great deal upon the character of the railway, does it not?—Yes, considerably,

siderably, and upon the description of country that you go through, because, if you have deep cuttings and high embankments, the quantity of land is very considerably increased.

727. When you speak of a 3 feet 6 gauge, you are speaking of a single line of railway, and land accordingly?—I am.

728. Then we had better have the land required for a single line of railway?—The land required in ordinary cases for a three feet railway would be about three acres per mile.

729. And the land required for a 5 feet 3 gauge, also a single line, would be how much?—It would be about seven acres. I can give a general idea now quite well of the great saving; one of the savings would be with regard to land, as I mentioned before. Then the next would be in the amount of cutting and earthwork, because with this 3 feet or 3 feet 6 gauges we can run round curves of about 300 or 360 feet radius with perfect safety, and by that means we can avoid hills, and instead of cutting right through a hill we can go round it. Then again, we propose to make the gradients much steeper than they are ordinarily made upon broad gauge railways. When locomotive engines were first used it was thought necessary to have gradients of 1 in 300; 1 in 200 was considered a steep gradient, but I propose with these 3 feet gauges to run up 1 in 40 and 1 in 45, which makes a very serious difference in the earthworks; the earthworks would be comparatively very small.

730. You are aware, that 1 in 35 is by no means an uncommon gradient on even a 4 feet 8½-inch lines of railway?—I am quite aware of that, and I know one railway which has a continuous rise of 1 in 39 for six miles. The Semmering railway, which runs from Trieste to Vienna, which passes over the Austrian Alps at a rate of inclination of about 1 in 4½ for eight miles on each side of the summit. I have gone over this in a train of five or six carriages at a rate of more than 20 miles an hour; therefore I say, that when I propose to make this at 1 in 40, or 1 in 45 I am giving a good line. What is called the post office, level in Ireland which is 1 in 35 for mail coach roads, was determined by Mr. Edgworth many years ago, and Lord Oriel when he was Speaker of the House of Commons in Ireland, and they fixed upon that because it was proved that a mail coach would stand still upon that gradient, but upon 1 in 30 it would run down; they tried it at 1 in 30 and 1 in 31, and so on, until it came on to 1 in 35, and there it stood still, and they called it the post office level; that rate of inclination could be very well adopted on those second-class lines in Ireland, but I propose to go up to 1 in 40 only; and therefore I am quite sure of being safe; I know that an engine will take up 80 tons at the rate of 12 or 14 miles an hour upon that gradient; that is one of those light engines with six wheels coupled on the 3 feet 6 gauge.

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731. *Chairman.*] Will you describe what the nature of the locomotive is which you propose?—The locomotive which I propose to use on those railways would have driving wheels of 3 feet diameter, or 3 feet 6; the cylinder would be about 8 or 9 inches, and the pressure about 140 lbs., and it would cost about 1,100*l.* to 1,400*l.*

732. Would they be tank engines?—Yes; tank engines.

733. With no tender?—No, with no tender; I do not exactly know what the best length of stroke would be, but I think it would be something about 20 inches.

734. Do you think that an engine of that kind would take a load of 80 tons up an incline of 1 in 50?—Yes, I am quite certain it would; it would take it up 1 in 40.

735. Mr. *Sherriff.*] Is that 80 tons including the engine?—Not including the engine, but including the trucks; the trucks are made lighter in comparison to the weight they will carry; they would be about a ton weight, and they would carry 2½ tons each.

736. *Chairman.*] What would be the sharpest curve?—We could make them quite well to go round a curve of 300 feet radius, and that gives us such great facility of choosing the ground that really we can make a very cheap railway. Then I would propose the rails for those lines to be not less than 30 lbs. to the yard; on level portions, according to the incline, I would increase the weight of the rails to 40 lbs. per yard.

737. You have invented, have you not, a mode of adapting carriages to the different gauges?—My son has, and I have got the drawings here; it is very simple indeed, and perhaps you would allow my son to point it out; the fact is, I cannot see the figures.

738. Mr. *Sherriff.*] A five-chain curve is no unusual thing, is it, on a 4½ feet gauge?—It is not unusual; I have worked many on the 5 feet 3 gauge going into sidings, good sheds, and on to turn-tables.

Telford Macneill, Esq., called in; and Examined.

739. *Chairman.*] Will you describe this plan?—A portion of the rolling stock is provided with two sets of wheels, which is intended to go over the broad and the narrow gauge. This drawing (*producing the same*) represents the rolling stock for the narrow alone, of 3 feet, and that drawing (*producing the same*) represents the composite rolling stock for the 4 feet 8½ inches, and 3 feet. The diameter of the wheels for the 3 feet gauge is 2 feet, and that of the broad gauge 2 feet 3 inches; so that when the outside wheels are working on the broad gauge the inside wheels pass over the points and crossings without touching them, but as soon as it comes to the narrow line, the inside wheels act. The broad and the narrow gauge are put down at different places; they are never both at the same place, except at sidings off the narrow gauge lines.

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740. Mr. *Sherriff.*] How does it happen, that when you come to the narrow gauge, the small wheel bites, and when you come to the broad the other acts?—As soon as you come to the broad gauge, the outside wheels being of a larger diameter begin to act, the rails being on the same level.

741. When it is running on the narrow gauge, the broad gauge wheels are outside the rails?—Yes.

742. *Chairman.*] What is the difference between the level at which the outside wheels run and that at which the inside wheels run?—One and a half inch.

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743. So that when the inner wheels are working the outer wheels must run in a sort of groove, must they not?—No; there are no rails there.

744. While the inside wheels are working upon the narrow gauge, do not the outside wheels continue to revolve?—Yes; the axle revolves, and, therefore, it takes both wheels round.

745. What additional weight do those four extra wheels give the carriage?—About four cwt.; and assuming half-a-dozen of the double wheeled waggons in a mixed train, whether on the broad or narrow lines, the additional weight would be about one and a-half tons.

746. Mr. *Sherriff.*] What is this waggon proposed to carry?—Four tons 10 cwt., the weight of the waggon being two tons.

747. There are many waggons on the ordinary 4 feet 8½ gauge that only carry 4 tons 10 cwt, or at the most five tons; but did you ever see one of those waggons with four wheels so light as to weigh only two tons?—Yes, I have.

748. They are by no means common, I believe?—No, they are not.

749. Your object in making this double system of wheels is, that they shall run on each of the lines?—Yes.

750. Would you like to trust a waggon, built so light as two tons, in a mixed train, where the gross weight of a five ton waggon is nearer nine tons than anything else; do not you think that it would be crushed up?—This waggon is perfectly safe to run anywhere, but there is no reason to limit the weight to two tons.

751. Do not you think that a light waggon of two tons in weight conveying five tons of stuff has a very slight chance of being secure in a mixed train, where the waggons are weighing a gross sum of 12 tons probably, and where it would be shunted up and down into various sidings, and into stations and out of them; do not you think it has a very bad chance of running very long?—Certainly not; we would not have designed it if we thought so.

752. *Chairman.*] Is there anything to prevent waggons of large size and strength being made upon this principle?—Not the slightest.

753. Mr. *George Clive.*] In the case of the wheels which are not at work, how much are they above the ground?—There is an inch and a half diameter between the two.

754. I am speaking of the outside between the tire and the ground?—There may be any amount of difference; it depends upon the construction of the railway.

755. When one set of wheels is at work, is there any occasion for raising the wheels not at work, the one being on the same level as the other?—Yes; those two rails (*pointing to the drawing*) represent the narrow gauge, and the other two wheels are perfectly free of everything when this waggon is on the narrow gauge line; but as soon as this waggon comes on the broad gauge line, on account of those wheels being of a less diameter, they pass over all the points and crossings without touching them.

756. Supposing them to be at work upon the narrow gauge, what distance is there between that wheel and the ground?—Four or five inches; but we are not limited to anything.

757. Mr. *Corry.*] In the event of there being any accidental obstruction, such as a large stone on a sleeper, against which this broad gauge which would strike when the train was in motion, would not that occasion a dangerous jerk?—No doubt; and so it would to the wheels at present in use; but it would not be more liable to jerk than at present.

758. That is in the event of an obstruction being on the rail; but I am supposing the narrow gauge wheel being at work, and the obstruction being outside the rail?—In that case anything outside the rail would be very dangerous.

759. Mr. *George Clive.*] But there would be five inches to spare?—Yes; but it could be constructed a good deal more.

760. Mr. *Sherriff.*] We will suppose that you are now running upon the broad gauge, and that your inner system of wheels is supposed not to touch anything; how would it act with regard to the points and crossings?—It is raised sufficiently to pass over them.

761. Supposing it was upon an unequal road, and you know that roads are not always thoroughly good, what then would be the case?—There is nothing between the rails that could touch the wheels.

762. But there are points and crossings which those inner wheels could touch?—No, they are always upon the same level, and they are upon the same sleepers, so that what raises the one raises the other; there would always be one and a half inches over the points and crossings in every case.

763. *Chairman.*] Will you explain to the Committee how you are to work the points and crossings upon the mixed gauge?—That is where the difficulty lay; as soon as you come to a siding the outside wheels would bump against the rails, and in order to avoid that at all the points and crossings we substitute a small portion of the broad gauge, 100 yards, I think it is; wherever we cross a junction those composite carriages could not pass unless we had a short length of broad gauge.

764. It comes to this, that wherever you cross a siding or a point, you use the broad gauge?—Precisely, even on a narrow line.

765. The broad gauge is indispensable for all sidings and points?—Yes.

766. Supposing that a carriage is running at the rate of 14 or 15 miles an hour, would there be a jerk where the break of gauge occurs?—No, not the slightest; because at that point (*pointing to the drawing*) it would be lower than the other, and at this point (*pointing to the drawing*) it would be on the same level, so that the carriage would run up a small incline, and the line would be laid a little slanting.

767. So that in passing from the broad to the narrow gauge there would be a gradual rise?—Yes, which would not be felt at all.

768. For how many feet would that rise be?—For about 30 or 40 feet, probably less.

Sir JOHN MACNEILL, called in; and further Examined.

Sir *J. Macneill.*

769. *Chairman.*] PRACTICALLY, in these small lines which you suggest, would those sidings necessarily be very frequent?—No, perhaps you might not require them once in 10 miles; if the system of narrow gauge be adopted in Ireland, it is quite possible that you might have a branch running into it, otherwise there would be no occasion for any points and crossings.

770. Has

770. Has this system of broken gauge been practically experimented on?—It has not; if there had been time, after I had got the plans completed, I should have made a model to have shown to the Committee here, but there was not time for that; but you will have seen that a person in a carriage going from the broad gauge to the narrow gauge, or from the narrow gauge to the broad gauge, never could tell that he was going from one to the other.

771. Mr. *Sherriff.*] That would depend, would it not, a great deal upon the nicety with which the rails were laid down; for instance, in passing from the narrow gauge to the broad gauge you see that there is a little incline of the broad gauge merely in laying the rail; and, in laying it I take it that the end of the rail is a little lower than the rail itself, would be further on?—An inch and a half lower.

772. There is a great deal of nicety required in laying that rail; do not you think that it is liable to some difficulty arising from the carelessness of the plate-layers?—Not a bit more than points and crossings, which are attended to constantly; I do not see any reason why it should move at all.

773. *Chairman.*] I apprehend that you would hardly suggest this system of your carriages running at a high speed?—Certainly not, because this must take place: the locomotive cannot pass from broad to narrow, it is merely the carriages carrying luggage, passengers, and goods, which would be required to go the whole way, and the small locomotive engine would not run upon the broad gauge, or the broad gauge locomotive upon the second system, because the rails would be too slight, and it would not stand it: therefore, supposing you were going from the narrow gauge to the broad there must be a set of points and a siding, as in many cases in stations, to allow the engine to leave the incoming train, and to run up alongside the carriages; and they will be hauled forward by a horse or by a rope attached to the engine, which is the mode adopted on the principal lines in England at the present moment, and then the large engine is hooked on to take the mixed train forward; but there is no more delay in that than in the ordinary case of stopping at stations, and sorting the carriages for the different stations; there would be no greater delay than at present, and no change of goods; that is the great point.

774. You would run the narrow guage with a lighter engine up to the point at which the engine belonging to the larger gauge would stop?—Precisely; that is all the difference; there is nothing more than the changing of an engine, as it takes place in every day work.

775. Will you state to the Committee why you are so anxious that those cheap lines, which you recommend, should be made upon the narrow gauge?—The great principle is to get the railway at all; and unless it be made at such a rate that the traffic will pay, there will be no railway made now.

776. What is the saving in expense to be effected by the mere alteration of the guage?—That is the saving of the expense.

777. Is that the whole saving of expense which you propose to make by those lines as between the old gauge and the gauge which you recommend?—I think you may put down the railways on the 5 feet 3 gauge in Ireland as costing from 7,000 *l.* to 9,000 *l.* per mile; and I am quite certain that you may make these railways equally serviceable at from 3,000 *l.* to 4,000 *l.*

778. Mr. *Sherriff.*] Why should not railways in Ireland be laid down at 5,000 *l.* to 6,000 *l.* a mile, as has been the case in other places?—So they have in Ireland; I, myself, constructed one in Derry under 5,000 *l.* a mile.

779. What weight of rail had you in that case?—I think it was 64 lbs. to the yard.

780. Supposing you were making a rail, with 40 lbs. per yard, all other things being equal, I suppose it would be cheaper still, would it not?—Certainly, it would be cheaper; but in that case I should mention, that where the railway cost that sum the land was not included, the land was given.

781. We have had it before the Committee that there have been lines made where the land has been paid for at the rate of 200 *l.* an acre, and where the line has still not cost more than 6,000 *l.* per mile?—Yes, I believe that such might be the case.

782. *Chairman.*] Will you describe how you propose to work those lines, the shape of your carriages, and what you intend to do about stations?—The carriages I propose to make something like the present omnibus carriages; they would be about 20 or 22 feet long, and they would carry about 20 passengers. I would propose that in Ireland there should simply be first-class and third-class; in fact, there is not a second-class in Ireland at all, and first and third-classes would be quite sufficient; and there would be attached to the carriages platforms at each end, with a door at each end; it would be only 18 inches from the ground, and a step of nine inches would be all that would be requisite, so that the passengers could get in or out without going to a platform, or anything of the kind; in fact, no platform would be required, which would be a very great saving also. I propose, if railways upon that system were established, that they should actually stop at every public road, unless there was a reason for going quicker, as the increase of traffic might induce us; and in that case a bridge should be built for every crossed road; and a bridge with this description of rail going over the railway will not exceed from 200 *l.* to 300 *l.*

783. If you propose to stop at every road the entrance to the railway on each side of the road would have to be gated, I presume?—I would propose to put the gate across the railway, and not across the road. I would leave the road always open, and when a train came up I would propose that a porter, or perhaps two porters, along with the guard, should accompany every train, in order to take up luggage, because I would let them stop even at any farmhouse if they saw a signal, and take up even an old woman going with eggs to market, because the fare need not exceed, I think, something about a farthing a mile for third-class passengers. The porters might take up luggage at the public roads from first-class passengers, or any other things going to market. Two porters with a guard would be quite sufficient, and I would let them go with every train.

784. Do you think that you could work a line of that kind in that way with anything like punctuality?—Yes, with perfect punctuality, because the stoppage of such a train as that is almost instantaneous, and the starting of it is the same. There is very little delay indeed in it, and comparatively very little expense. I think that

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those engines would work with an expenditure of about 15 lbs. of coal per mile.

785. Do you think that the same amount of punctuality could be obtained by a train running in this way as was obtained by the coach in the olden times?—Very much greater, because at any time we could always get up 17 or 18 miles an hour, if necessary; and if bridges were built across the public roads, which would not be a very great expense in many parts of the country, all those trains could travel at 32 miles an hour, with passengers.

786. Mr. *Sherriff.*] You are now speaking of a railway made for this description of engine, and you are not speaking of this kind of railway being laid on a public road?—No, not upon a public road at all.

787. *Chairman.*] Your plan was that you were not to avail yourself of public roads in any way?—If it was suitable, and if it became a cheap thing, I propose that we should go through the country and find the best and cheapest line that we can get from point to point; that if a public road came near it, and we found that we could save any money by going close to the public road, or on the public road, I think we should endeavour to get permission to do it. But I think the cheapest way in most cases, if not in all, would be simply the open country, because when you come down alongside the roads, I think you, generally speaking, find both in England and Scotland and Ireland that the land becomes a little more valuable. Besides there are cottages and houses and things of that kind which you would interfere with, and perhaps pay more than you would pay for a little extra cutting.

788. Mr. *Sherriff.*] Then this Bill would not much help you?—Yes, I think it would, if there was a clause put into the Bill which would authorise the railway companies which have been already passed to adopt the three feet six gauge, instead of the five feet three gauge, with the consent of the Board of Trade. I think it would be the forerunner, to a very great extent, of those second-class railways made in Ireland; in fact, I believe this, that in the case of some of the branch railways running upon the five feet three gauge already existing; for instance, the line which is called the Fin Valley, which joins the Derry and Enniskillen Railway, they do not, I think, pay much more than what gives oil to the wheels upon that line, and I believe that if it was converted into a narrow gauge that branch line would pay exceedingly well.

789. You think that it would be beneficial to the proprietors if they were to convert the main lines already laid down on the five feet three gauge into one of those three feet six gauges?—I fully believe in many cases, and the one instance that I speak of is the Fin Valley, as the running expenses would be so much diminished.

790. Do you attach no importance to the break of gauge as being a very great evil?—We should not have a break of gauge.

791. Practically you would work on the narrow gauge?—Yes, in order to save expense, because you can certainly carry first-class passengers at 1*d.* a mile, and pay very well.

792. *Chairman.*] Have you considered what amount of traffic per mile would pay five per cent. upon an outlay of 3,000 *l.* a mile?—I take it in this way, that the working expenses of the whole line of railway should not exceed something like 25 per cent. on the gross receipts.

793. Mr. *Sherriff.*] Do not the working expenses of a railway depend upon the gross takings?—Yes.

794. Does not the fact whether 25 per cent. on the gross earnings will work a railway or not depend altogether upon how much the line takes gross?—Certainly.

795. Upon what gross take do you estimate your 25 per cent. for the working expenses?—I take it at 6 *l.* per mile per week.

796. Do you believe that 30 *s.* per mile would work the line?—I do, indeed.

797. *Chairman.*] What is the average expense in Ireland now?—I think it varies from about 45 to 50 per cent.

798. Mr. *Sherriff.*] What is the average take?—I do not remember that exactly; speaking of railways generally, I think it is about that.

799. Do you not believe that there are some railways which take from the gross earnings, so as to meet the working expenses, more than 80 per cent. of the whole sum?—I do not know of any, and I have never heard of any; but I can quite understand that such may be the case; in fact it might be the case that the working expenses would take the whole; it is quite possible, but I do not know any instance myself exceeding 53 per cent.

800. How many passengers do you propose to take?—I propose to take 20 passengers, 6 first class and 14 third class.

801. Six first class passengers at 1*d.* and 14 third class at a ½*d.* would make 9½*d.* a mile?—Yes.

802. That is 9½ *d.* per mile gross take, and 25 per cent upon that is 3¼ *d.*; do you think that 3¼ *d.* a mile, you finding all the locomotive power, would keep up your permanent way and do all the other things for working a railway?—For that one carriage it would not; I should expect that there would be many carriages and many trucks besides.

803. You are speaking now of making railways for a district where the population is small, and where the traffic must of course be like the population, small also?—But with regard to goods, that does not follow; there may be a great deal of agricultural produce which would be brought by that line of railway, and that would be at so much a ton, and that must be all added.

804. I take your gross earnings as not to exceed 6 *l.* per week?—I am supposing that 6 *l.* would be a fair thing to start with.

805. *Chairman.*] What do you calculate the cost for locomotive power at per mile?—I think this description of locomotive power should not exceed 2 *s.* per train.

806. Is that including the cost of the engines? No.

807. It includes the stokers and the guards' wages?—Yes, and the coke.

808. Mr. *Sherriff.*] Is that including all the expenses of the locomotive?—Yes.

809. But not of the porters, and so on?—No, only of the locomotives; I propose that there should be no intermediate stations at all, but just one at the termini, and then I would have travelling porters with a guard to give assistance.

810. But does that include the expenses of those?—Yes.

811. Does that include the expense of the carriages used?—No, the carriages will cost more; each carriage will cost a proportionate sum besides.

812. How

812. How much do you put down for your train mileage for your engine and carriages, and the guard, porters, engine driver, and stoker; how much in the whole?—I have not made an absolute calculation of that.

813. *Chairman.*] Will you have the kindness to make that calculation and let us have it?—Yes; I will do so. If it were possible to get in this Bill power to allow some railway companies which have got Acts, but which have not the means to carry them into execution, if power, I say, was granted them, with the approbation or consent of the Board of Trade, to make those railways on the 3 feet gauge, I do believe that most of those railways would be made, and I am quite certain that a great number would follow. One gentleman, a Member of Parliament, told me (and he is a very good judge, and knows well what he says) that he knew himself that 300 miles next year would very probably be brought in.

814. Are those 300 miles for which no statutory powers already exist?—Yes.

815. Mr. *Sherriff.*] Then your line of railway would require to be about the same breadth as a single line of the 5 feet 3 inches gauge, because there would be the ordinary vehicles running upon a 5 feet 3 inch road, and therefore the road itself must be about the same width as an ordinary road?—Not quite so. The 5 feet 3 inch gauge, which was the original gauge which I established in Ireland, gives me carriages of the same width as the Great Western in England, namely, 9 feet 2 inches. The 4 feet 8 inch gauge in England gives 6 feet in the width of the carriage or room for three first-class passengers.

816. They carry, as you are probably aware, four passengers upon the Metropolitan?—I am not speaking of the Metropolitan.

817. But what the Metropolitan does on the narrow gauge any other railway could do?—Yes; I am referring to the London and North Western and the Midland, and all those other railways that have been made some time. But the observation which the Honourable Member made is quite correct. The width would appear to be more than it really is which would be required, because we have less depth of cutting, and at every foot of cutting it widens either three feet or four feet for every foot in height, the slopes being made two to one. There is a drawing here which will exactly answer your purpose (*producing a drawing*). The pencil mark shows what the broad guage would require, and the other part is coloured in. You see that the difference in the bridges would be enormous. There is another very material difference in the expense, which I would wish to explain to the Committee in the making of culverts. We will take the case of a stream which would require a culvert of six feet or five feet. The Commissioners for Drainage in Ireland require you to go to a certain depth, because they say, here is a bog of five or six, or seven miles in a county, which ultimately will be drained, and in order to bring the water through this, you must go down with a culvert of 8, 9, 10, or 12 feet. That is a very common thing, and in order to avoid all that expense, which is a very serious item, because there are a great many streams, as you know, in Ireland which must be crossed. I myself had a culvert of only five feet, and I was obliged to go down something like 10 feet in bad soil, at a cost of upwards of 300*l.*; what I propose in this case is, to have a very narrow platform of timber over such a stream, that which would not cost more than about 15*l.* I will explain how: we will suppose that here is the stream coming down (*describing the same*) five feet wide; I am coming this way to cross it. I build simply a wall of about eight or nine feet in width on each side standing up like that (*describing the same*), like abutments. Then over that I run simply baulks of timber from there to there (*describing the same*). Those two wells would only come to about 3*l.*, and if at any time the commissioners choose to deepen the drain, they can go down any depth they pleased without interfering with the line or stopping the traffic.

818. You mean a little railway bridge instead of making a culvert?—Yes; and I simply run two baulks of timber right across, which is quite sufficient with the rails laid upon them. Baulks of 12 inches each will carry over 15 feet with perfect safety, and that is all that is required. That is another very great saving in this description of railway which I propose. Speaking generally, I have heard some of the questions which have been put to Colonel Yolland and Captain Rich to-day, and perhaps the Committee will allow me to mention what I think would be desirable for the country generally, if this second class description of railways is to be established; and it would be this, to allow any company that is taking it up, to proceed exactly in the same way as for the present description of railways, to go through same forms, if necessary. I would rather submit it to the Board of Trade than to a Parliamentary Committee in order to save the expenses of the House, if that could be done, but if that could not be done, to follow the same principles exactly as are now adopted. So that parties desiring to make such a cheap line of railway would not be obliged to go through all the formality of the grand jury, and then afterwards to go to the Lord Lieutenant, and afterwards to Parliament; but simply to allow railways to be made on the three feet gauge, allowing any companies who thought proper to establish a railway to lay down the plans before a Grand Jury and the Board of Trade for their approval and consent without going to Parliament at all, which, if granted, should have parliamentry expenses. I believe that in that way you would get a large extent of accommodation, which would be of great benefit to the county.

819. *Chairman.*] Is not that very much the mode of procedure which is contemplated by the Bill now under the consideration of the Committee?—The only thing is this, that parties irrespective of the country gentlemen, or persons in the county, would be got from a distance, very likely from London, and those would form companies that would make these lines of railway, and they would not, I think, like all the trouble of the grand jury, and the county surveyor, and an appeal to the Lord Lieutenat and the council, and all that in addition to the Parliamentary Committee.

820. *Chairman.*] But it is not contemplated in this Bill to go to Parliament at all, the object of the Bill being that those railways may be made without reference to Parliament at all?—I thought it had reference simply to running tramways alongside of the roads.

821. Mr. *Sherriff.*] As far as I understand your plan, it would be that an engineer should have the power of making a railway, such as you have described,

Sir *J. Macneill.*

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described, through the country, taking advantage where it would be an advantage, of the public road if it happened to be in your way; but that you would prefer having the power to make the railway in the locality best suited for it?—Yes, that is precisely my view.

822. The cheapness of the railway being a material consideration, you think that the present expense which attends the application to Parliament for those branch lines, which must be cheaply constructed, or not constructed at all, is a great bar to those lines being formed?—I do consider it a very great bar.

823. The machinery of this Bill being that the Board of Works and a committee of the grand jury are substituted in the place of Parliament, if they also had the power of granting railways through land not on public roads, you think that it would be a great advantage, and be likely to lead to the formation of railways, such as you have described to the Committee?—I do believe so; but I think, if instead of sending it to the Board of Works in Ireland, who really are not much acquainted with railway works, because it is not in their province at all, it was referred to the Board of Trade, it would have a much better effect.

824. Then you would prefer the Board of Trade to be inserted where the Board of Works is now inserted in the Bill?—Yes, simply because they are completely and thoroughly up to everything connected with railways, and the Board of Works are not; and I think that the people in London, where, in all probability, the capital for making those secondary class lines of railway would be found better and more easily than in Ireland, would be more satisfied with the Board of Trade.

825. *Chairman.*] The principal amendment which you would suggest in this Bill would be, I presume, that "The Board of Trade" should be inserted, instead of "The Board of Works"?—I think that that would be found more beneficial, not from any other reason than that the Board of Trade are more acquainted with everything connected with railways and the railway system than the Board of Works can be.

826. You are of opinion that if the cost of applying to Parliament for local lines could be done away with, it would be advisable to entrust this power of obtaining land to a local body like the grand jury, they being advised by a preliminary inquiry, conducted by scientific persons connected with the Board of Trade?—I do think that if a railway company wants to make one of those lines of railway in Ireland, their engineer should lay out this line of railway according to his idea of the best description which could be made, and if that plan was given to the grand jury, the grand jury should submit it to the Board of Trade for examination, and approval or disapproval; I think that that would be a very beneficial thing indeed.

827. Do you think that in that case all persons having grievances, or being damaged by the line in any way, would have a proper tribunal at hand, where they could go and state their objections?—I think that the committee of the grand jury would be a very fair tribunal to do that, but the advantages to be gained to the company by that would be simply the saving of an Act of Parliament. I have ascertained from a line of railway of this description which I have had examined and surveyed (and if powers be granted to us we shall have the line next year), and which is about 20 miles long, that it will come to not quite 90,000 *l.*, and everything connected with Parliament in that case would not exceed 350 *l.* I think that a company in London, for instance, going to make a line of railway in Ireland, which they would only make in the prospect of a good return for the money, would prefer paying that 350 *l.* rather than go to the grand jury, or to any other tribunal.

828. Mr. *Sherriff.*] But that is an unopposed line?—My opinion is, that if lines be opposed I should have nothing to do with them. I think the great object would be to get railways in a district of country where a railway is really wanted.

829. Do not you suppose that there are some people, over whose lands a line of this kind may go, who know that the line cannot be prevented altogether, but who would be very likely to oppose it for the sake of other reasons which I need not point out?—There may be reasons of that kind; but I think that, if the expense was put upon the parties who did that, if the Bill passed, notwithstanding their opposition, I think there would not be very many opponents of that class.

830. *Chairman.*] The opposition before a grand jury to the making of a new road for ordinary purposes is never very serious in Ireland, is it?—I have known a great many serious oppositions; —I have been brought over from England to oppose for the late Lord O'Neill, in Antrim, and that caused as much discussion almost as an election would.

831. Mr. *Sherriff.*] At all events, a contention on the spot is a much less expensive one than bringing witnesses on each side to London?—It would be less expensive certainly; but I think that the authority of the Board of Trade would be so great that it would prevent persons opposing in the manner suggested. If, for instance, Colonel Yolland or Captain Rich, or any of those gentlemen, were to say, you want this railway to go there, and if you change it and go to this point instead, you will make so great a difference in the expense that it will be a very material objection to making the railway at all, I think that with such an authority as that, people would give way to a very great extent; then again, we know that those lines of railway would be made with so very little cutting, and so very little embankment, that I do not think there would be much annoyance. The severances would be very little, because we could always make curves to go round property which might be valuable.

Tuesday, 3rd July 1866.

MEMBERS PRESENT:

Mr. Corry.	Lord Naas.
General Dunne.	The O'Conor Don.
Mr. George.	Sir Colman O'Loghlen.
Mr. Laing.	Mr. Sherriff.
Mr. Leader.	Mr. Sullivan.
Mr. Monsell.	

THE RIGHT HONOURABLE LORD NAAS, IN THE CHAIR.

Sir JOHN MACNEILL, called in; and further Examined.

Sir *J. Macneill.*

3 July 1866.

832. *Chairman.*] I BELIEVE that there are some papers which you wish to put in?—Yes; these (*producing certain papers*) are papers relating to the Downpatrick and Newcastle Railway, which I gave evidence about the other day. They are the "Estimate of Construction," the "Estimate of Rolling Stock," the "Estimate of Fixed Expenses," of "Running Expenses," and of "Traffic." Then there is the "General Result." There is also the "List of Gradients," and a Map of the Railway. (*The same were handed in.*—Vide *Appendix.*)

833. You put the cost at 3,000*l.* a mile, I think?—From 3,000*l.* to 3,500*l.*

834. Does that include rolling stock?—No.

835. Mr. *Sherriff.*] I think we have it on our Minutes that your estimate of the cost was from 3,000*l.* to 4,000*l.*; 3,500*l.* on the average?—Precisely; but that does not include rolling stock; the rolling stock is small; and the expense of running six or eight carriages does not exceed 7*d.* per mile.

836. *Chairman.*] Is there anything that you wish to add to your evidence which you gave on the last occasion?—There is nothing further than this; the expense of fuel in many parts of Ireland is so very small as compared with England, that even this estimate I have put in at 7*d.* a mile will be reduced in many cases to as low as 5*d.*, as turf or peat may be employed in getting up the fires instead of coal and wood. I have estimated the fares for first-class passengers at 1*d.* a mile, and for third-class passengers at a farthing a mile.

837. We shall see the particulars of your estimates on the notes. You have nothing to add beyond what you have already given in evidence, and what is contained in these papers?—No, that is all.

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APPENDIX.

Appendix, No. 1.

LETTER from M. *Armand Béhie*, Minister of Agriculture, Commerce, and Public Works. App. No. 1.

To the Prefect _____

Paris, 30 April 1866.

SEVERAL requests having lately been made to obtain a license for allowing locomotives to run on ordinary roads, Government has taken pains to determine the form in which such licenses can be granted, and also the conditions to which such grants ought to be subjected.

A commission composed of the most competent judges was charged with the study of the measures to be adopted, and having myself examined the questions, I have issued (under date 20th April inst.) a decree purposing to regulate everything that concerns the new mode of transport, and an official copy of which I here subjoin.

It was impossible to assimilate the engines running on roads with the regular steam engines, according to the Decree, 25th January 1865, by a simple declaration; as the direct contact of such machines with the general public, together with the necessity of preserving roads and more especially works, which require a limitation of weight of the locomotives, have rendered a preliminary examination indispensable, while Article 2 of the Regulations requires that the first application should be made through the respective Prefects, who are empowered to grant such permissions, if the service to be established is limited to only one single Department, or to the Ministers of Agriculture, Commerce, and Public Works, if the service extends to several Departments.

The instructions ought, besides, to be very compendious. Any locomotive ascertained to be fit for the service may be licensed to run, according to the general conditions set down in the Regulations, and a simple examination of the due weight is sufficient for the purpose, which ought to be made by the Engineers appointed for the Imperial and Departmental roads, and by the parochial surveyors (according to Article 4 of the Regulations).

The license is to determine the special conditions which the petitioners are subjected to, independent of the general prescriptions of the Regulations, in which must be fixed most particularly the maximum weight of the wheels of the locomotives, and the length of the train. (Article 5). The weight may be carried to 8,000 kilos., and the length to 25 metres. But the Prefects must not forget that these *maxima* are a mere general indication, while the administration can, under exceptional circumstances, reduce them at discretion, and, if it thinks proper, to increase the weight and the length of the train (ibid, sect. 3). Nor must the license omit to prescribe the particular precautions which are to be observed in passing bridges and other works (ibid, sect. 4).

In case of refusal by the Prefects to grant the license, the petitioner (Article 6) may appeal against the decision to the Minister, while the Prefects are in every case bound to acquaint the superior administration with the decisions authorising the service of the locomotives on the Imperial and Departmental roads. Beside the general conditions prescribed by the Decree of the 25th January 1865, concerning the generators, the machines to be admitted to pass on roads, ought to agree with certain special conditions; they must, in short, in using the public roads, not cause any inconvenience to the passengers on the roads and rivers, as stated in the Articles 7, 8, 9, and 10 of the Regulations. The engineers of mines, or, for want of them, the engineers of bridges and public roads, are enjoined to see and make sure that the locomotive satisfies the special conditions, after which only, the machine may be put into operation (Article 11).

Articles 12 to 19 of the Regulations contain a series of rules in detail, more or less analogous with those which regulate ordinary public vehicles, and especially as concerns the signals of approach, and lighting during night time, the officers charged with the service of each train, the stations of the locomotives and trains on the public roads, &c. The maximum of the speed is fixed at 20 kilos. per hour. This maximum is probably greater than what can be effected practically, but I thought that it is as well to permit more latitude in that respect, to allow competition with the other means of conveyance in use. This speed ought, besides, to be reduced in case of crowded thoroughfares, and when passing inhabited localities where inconvenience and even danger might thereby accrue (Article 12).

Lastly, Articles 20 and 22 subject the locomotives, as far as they concern them, to the laws and police regulations of waggons and other vehicles, and they specifiy the various laws enacted against offences committed against the police regulations.

Such is the general economy of the Regulations of which I send you an official copy. It seems to comprise all the requirements necessary for giving the widest scope for the experiments which are to be undertaken on this new application of

App. No. 1.

steam, as also for the public safety of passengers and preservation of the roads.

I ought, in conclusion, to request that these instructions may be carried out with the least possible delay. It is of great importance that in the first experiments the industry of transport should not suffer any delay caused by the officials. As the local authorities are not to be consulted in these affairs, which solely remain with the opinion and advice of the engineers, there ought not to be any unnecessary delay, which I beg of you to avoid.

We are treading here on new ground, and disposed as I am to introduce in the Regulations modifications resulting from experience, I wish you to gather carefully all such facts which may appear to you of some importance; and be assured that I shall always be glad to receive from you any observation you should think proper to make on the subject.

I am, &c.
(signed) *Armand Béhie*,
Minister of Agriculture, Commerce,
and Public Works.

Official Copy of the Regulations.

1st Article. The use of locomotives on roads (beside railways) is subjected to the following rules:—

Article 2. Anyone who wishes to establish a locomotive service, for transport of passengers or merchandise, ought to provide himself with a license from the Prefect, if the service is limited to one single department, or from the Minister of Public Works, if the service extends to more than one department.

Article 3. The petition for such a license ought to specify:

1. The itinerary (in detail) which the petitioner intends to pursue.

2. The weight of the carriages when filled, and the weight of the machines with their necessary supplies, and the weight of each wheel of the machines.

3. The usual composition of the trains, and their total length (machine included).

Article 4. This request must at once be communicated to the engineer of bridges and public roads; and, if the route comprises parochial roads, to the surveyors of the cross departments, who are called upon to give their opinion as to the state of the roads which the locomotives mean to use, as also to the works which they will have to meet in their passage.

With regard to that opinion, the prefects have to decide specially.

In all cases where the decision is left to the Minister, the prefects have to send to him the petition, and their own opinion on its contents, to be treated according to right.

Article 5. The license will determine the particular conditions to which the petitioner is subjected, independent of the general prescriptions of the present regulation. It must in particular fix the maximum, both of the weight of the wheels of the locomotives, and of the length of the train.

Unless some exceptional circumstances should necessitate a reduction, the weight may be as much as 8,000 kilos., and the length 25 metres.

According to circumstances, the weight and the length may be much increased.

The license must besides specify some particular precautions to be observed in crossing suspension bridges and other works.

Article 6. The decision of the prefects, in case of refusal, may be appealed to the Minister, to whose knowledge must also be brought the grant of all licenses on the Imperial and department roads.

Article 7. Locomotives can only be made use of for roads (beside railways), when they satisfy the rules that concern their generators; the prescriptions of the decree of the 25th January 1865, and the fulfilment of the following special condition:

Article 8. They must be provided with an apparatus for change, as also with a brake, sufficiently strong to impede the movement of the propelling wheel under the action on the steam, at the maximum pressure on the boiler. They must also be provided with a moveable fore-carriage round a poll-bolt, or any other mechanism, allowing to turn easily in small curves.

Article 9. The furnace of the boiler must be so constructed as to consume its smoke.

Steps ought to be taken to prevent the ejection of the cinders through the ash-hole and chimney.

Article 10. The length of the machine between the most projecting parts ought not to exceed 2 *m.* 50 *c.*

The tires of the wheels ought to be smooth on the surface, without any projections.

Article 11. No locomotive must be used before it has been examined by the mining engineers, or by those of the bridges and roads, or, if they are prevented, by their agents under their instruction. They must make sure that the machine fulfils all the prescribed conditions of the above Articles 7 to 10. They may also insist (if they think it proper) upon a trial, that they may be better able to judge of its efficiency in all its parts.

Article 12. The speed must not exceed 20 kilos. per hour, while even this speed must be diminished when crossing inhabited and crowded spots in the road. The speed must also be diminished, or the engines topped, when the approach of the train might frighten horses or other animals, and thereby cause confusion and accidents.

Article 13. The approach of a train must be signalised by the sound of a trumpet, horn, or other instrument, with the exception of the whistle, which is generally used on railways.

Article 14. During night, the train must carry a red light in the front, and a green light in the back. These lights must be lit half an hour after sunset, and only extinguished half an hour before sunrise.

Article 15. Two men ought to be exclusively attached to the service of the machine. There ought also to be a conductor, for the management of the drag placed behind the train whenever the machine draws more than one carriage.

This

This drag ought to be sufficiently strong to keep back the whole train (except the machine) on the steepest inclines which may occur during the passage.

Article 16. The engineer ought to turn to the right at the approach of any other vehicle, so as to leave free at least the half of the road.

Article 17. The locomotives and their trains must not stop too long unnecessarily on the public road; they ought to be housed at the end of their journey.

The feeding of water and coals ought not to be done on the public road, by which the passage might be impeded, and it is expressly forbidden to rake out the fires in the road.

Article 18. The size of the cargo must not exceed 2 *m.* 50 *c.* But special permission might be given by the department prefects for the transmission of voluminous articles under peculiar circumstances.

Article 19. The locomotives and carriages must bear on a metal plate, in legible and plain characters, the name and domicile of the contractor of transports; each machine ought to have, besides, a regular number and particular name.

Article 20. All that has not been expressly regulated by the present decree concerning the locomotives and the carriages which they drag, will be subjected to the laws and police regulations on vehicles and carriages, and more especially to those of Titles I. and III. of the decree of the 10th August 1852.

Article 21. The engineers of bridges and roads, and those of mines, as also the agents acting under them, are charged, under the direction of the prefects, and with the consent of the local authorities, with the superintendence of the execution of the measures prescribed by the present regulations.

Article 22. All offenders against these rules must be noticed, prosecuted, and punished, according to the nature of the case, and conformable to the laws of the 30th May 1851, and 21st July 1856, as also according to the dispositions of the Article 471 of the Penal Code, without prejudice to the civil responsibility, which the offenders might incur by the terms of the Articles 1382 and the following rules of the Code Napoleon.

Done at Paris, 20th April 1866.

(signed) *Armand Béhie.*

Appendix, No. 2.

App. No. 2.

PAPERS handed in by Sir *John Macneill*, 3 July 1866.

No 1.

Downpatrick and Newcastle Railway.

Estimate of Construction.

Estimate of the Narrow Gauge Railway, as proposed by Sir *John Macneill*, from *Downpatrick* to *Newcastle*, a distance of 11 miles.

	£.
Land at four acres per mile, from Downpatrick to Dundrum, at 120 *l.* per acre, and for 28 acres	3,360
Between Downpatrick and Newcastle, 16 acres, at 60 *l.*	960
Damages and house property in Dundrum, say	2,000
Land for stations at Newcastle, 1 acre	100
£.	6,420
Fencing at 1 *s.* 6 *d.* per yard, or 3 *s.* per lineal yard of railway, comes to 264 *l.* per mile, and for 11 miles	2,904
Excavations in clay, 50,000 cube yards, at 12 pence	2,500
In rock, 32,000, at 2 *s.* 6 *d.* per cube yard	4,000
Dwarf walls at foot of slopes, 3 *s.* per lineal yard	150
Two river bridges	300
Culverts	550
8 Road gates, at 25 *l.* each	200
8 Cottages, at 50 *l.* each	400
33 Farm road crossings, at 10 *l.*	330
Ballasting 6 feet wide 18 inches deep, or 1 cube yard per yard forward, at 2 *s.* 6 *d.* per cube yard, or per mile, 220 *l.*, and for 11 miles	2,420
Sleepers 6 feet long, 6 inches half round, at 1 *s.* 6 *d.*, or 132 *l.* per mile, and for 11 miles	1,452
Rails, 30 lbs. per yard, say 50 tons per mile, at 8 *l.*, delivered on line, 400 *l.* per mile, and for 11 miles	4,400
Fish plates and fastenings, 50 *l.* per mile, and 11 miles	550
One half mile of sidings at Dundrum, Newcastle, and Downpatrick, including points and crossings	500
Extra rails for transferring narrow gauge rolling stock to broad gauge	50
Pitching embankments at Dundrum	300
Station-house at Newcastle, including shed for two engines	1,000
Signals at Dundrum and Newcastle	100
Three flag signals	15
Water crane, tank, and pipes	100
£.	22,321

ABSTRACT.

	£.
Land	6,420
Road construction	22,321
	28,741
Contingencies, 10 per cent.	2,874
£.	31,615

App. No. 2

No. 2.

Downpatrick and Newcastle Railway.

Estimate of Rolling Stock.

	£.
Two locomotives, four wheels coupled, 3-feet driving wheels, weight 14 tons, about 1,200 *l.*	2,400
One first-class carriage, to hold 20 passengers	350
Four composite, to carry 6 first-class, and 16 third-class, each at 320 *l.*	1,280
Twelve low-sided waggons, to carry 3 tons, each 112 *l.*	1,344
Twelve high-sided waggons, at 120 *l.*	1,440
Two guards' vans, at 220 *l.*	440
£.	7,254

No. 3.

Downpatrick and Newcastle Railway.

Estimate of Permanent Staff and Fixed Expenses.

	£.	s.
Maintenance of way and works, 20 *l.* per mile per annum, which, for 11 miles	220	–
One inspector of works, per annum	50	–
Three station masters, per annum, two at 40 *l.*, and one at 25 *l.*	105	–
Three porters, at 12 *s.* per week per annum	93	12
One guard, per annum	52	–
Supernumerary guard, per annum	25	–
One engine-man, 2 guineas per week per annum	109	4
One stoker at 15 *s.* a week, per annum	39	–
Assistant engine-man and cleaner, per annum	50	–
Stationery, printing, and office expenses	100	–
£.	843	16

No. 4.

Downpatrick and Newcastle Railway.

Estimate of Running Expenses.

	d.	£.	*s.*	*d.*
Engine power, fuel, coal at 16 *s.* per ton, including pilotage and shunting, at 16 *l.* per mile	$1\frac{1}{2}$			
Repairs of engine	$1\frac{1}{4}$			
Ditto of six carriages	3			
Grease, &c. &c. for engine	$-\frac{1}{4}$			
Ditto for six carriages	$-\frac{3}{4}$			
	$6\frac{3}{4}$			
But say 7 *d.* per mile, which, for 22,880 miles per annum, will amount to £.		667	11	4

App. No. 2.

No. 5.

Downpatrick and Newcastle Railway.

Estimate of Traffic.

Description of traffic will consist of first-class passengers from Belfast, Downpatrick, Castlewellan, Begwesford, and the surrounding districts to Newcastle, which is one of the most desirable and frequented watering-places on the north-east coast of Ireland; also, granite from the neighbouring mountain of Slieve Donard, for building purposes, to Belfast. There will also be large quantities of fish from Newcastle and Dundrum to supply the towns of Downpatrick, Cumbernewtownards, and Belfast, besides agricultural produce, flax, grain, and pork, in large quantities, and coal and lime.

Downpatrick and Newcastle Railway. Eleven miles estimated traffic. Three trains each way each week day, and two trains each way on Sunday.

	£.	s.	d.
Six first-class passengers, at 1 *d.* per mile, and 16 third-class passengers, at one farthing per mile; 9 *s.* 2 *d.* per day; 18 *l.* 6 *s.* per week. Per year - - -	951	12	–
Parcels per train, 7 *s.* 6 *d.* per day; 45 *s.* per week of six days; 13 *l.* 10 *s.* per year -	702	–	–
Goods, say 12 tons per train, at 2 *d.* per ton per mile; 22 *s.* per train per day; 6*l.* 12*s.* per week of six days; 39 *l.* 10 *s.* per year - - - - - - - - - -	2,059	4	–
£.	3,712	16	–

No. 6.

Downpatrick and Newcastle Railway.

General Result.

The General Result of the foregoing calculations will be as follows:

		£.
Estimate for land and works - - - - - - -		31,615
Estimate for rolling stock - - - - - - - -		7,254
	£.	38,869
Estimate of traffic - - - - - - - - -		3,712
From this deduct fixed charges - - - -	£. 843	
„ „ running charges - - -	667	
		1,510
	£.	2,202

For dividend on an expenditure of 38,869 *l.* will produce a dividend of a little more than 5½ per cent.

No. 7.

Downpatrick and Newcastle Railway.

List of Gradients from *Downpatrick* to *Newcastle*.

	Distance.
	Chains.
1 in 4,422 rise - - - - - - - - - - -	72
1 in 80 rise - maximum - - - - - - -	48
Horizontal - „ - - - - - - -	7
1 in 127 fall - „ - - - - - - -	31
1 in 219 rise - „ - - - - - - -	60
1 in 111 rise - „ - - - - - - -	33
Horizontal - „ - - - - - - -	20
1 in 103·75 fall - „ - - - - - - -	82
Horizontal - „ - - - - - - -	340
1 in 354 rise - „ - - - - - - -	70
1 in 630 fall - „ - - - - - - -	96
Horizontal - „ - - - - - - -	20

A MAP

SHOWING THE

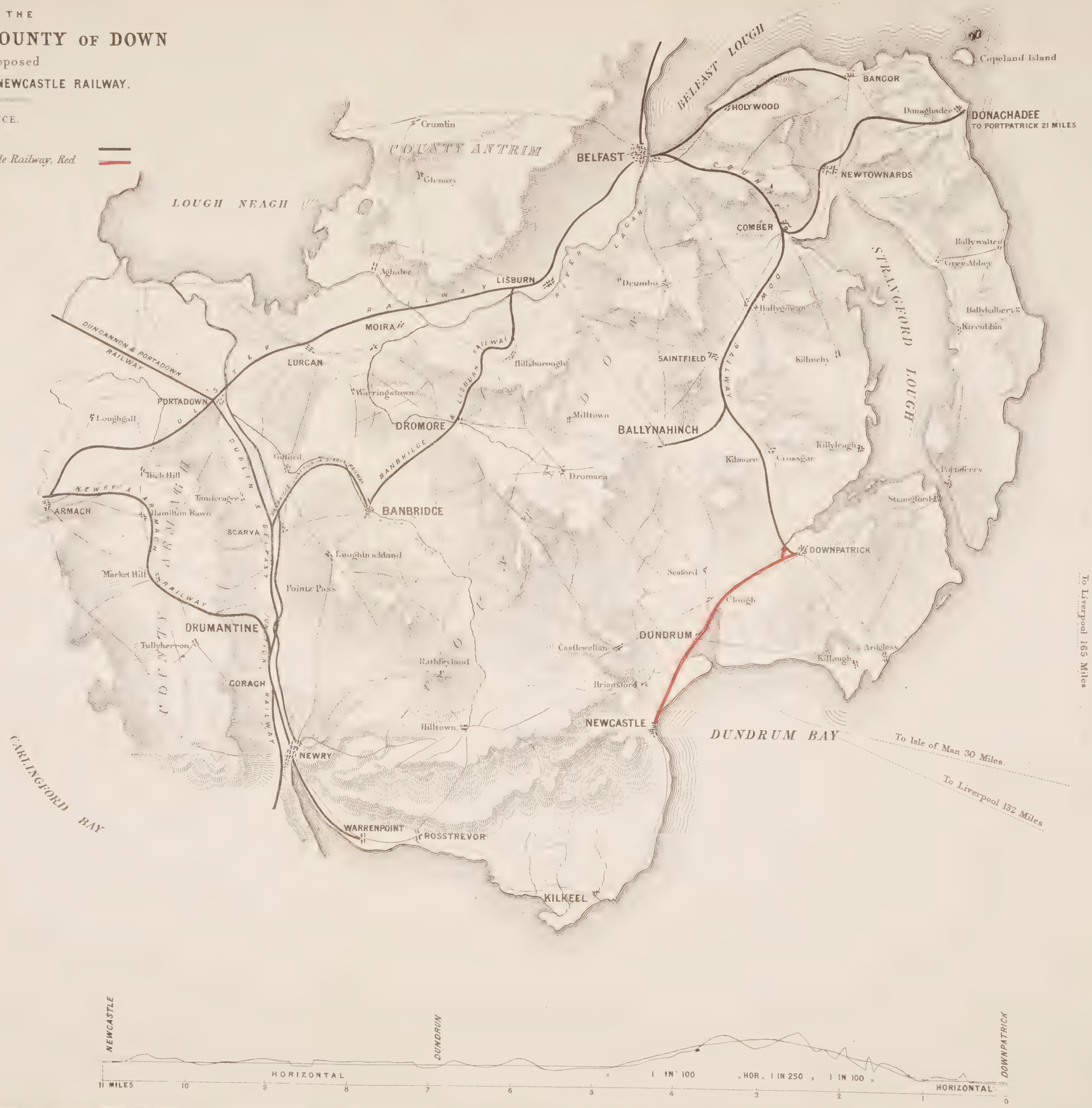
RAILWAYS IN THE COUNTY OF DOWN

and the proposed

DOWNPATRICK, DUNDRUM & NEWCASTLE RAILWAY.

REFERENCE.

Lines in Work. Black
Downpatrick, Dundrum & Newcastle Railway, Red



REPORT

FROM THE

SELECT COMMITTEE

ON

TRAMWAYS (IRELAND) ACTS AMENDMENT BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
17 *July* 1866.

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